

**AGENDA**  
**REGULAR MEETING OF COUNCIL**  
**December 16, 2019**  
**6:00 PM**

1. ROLL CALL
2. READING OF MINUTES
3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS OF DEPARTMENTS AND INTERESTED PARTIES AND CITY CLERK'S NOTES
  - 3.A MINUTES OF THE CIVIL SERVICE COMMISSION MEETING HELD DECEMBER 5, 2019.  
  
[Civil Service Commission Meeting Minutes 12-05-19.pdf](#)
  - 3.B CORRESPONDENCE RECEIVED FROM THE CITY'S BUSINESS ADMINISTRATOR IN RESPONSE TO COUNCIL'S REQUEST REGARDING ALTERNATIVE BUDGET ANALYSIS.  
  
[Response received from BA regarding Alternative Analysis 12-1-19.pdf](#)
  - 3.C CORRESPONDENCE RECEIVED FROM THE CITY'S BUSINESS ADMINISTRATOR IN RESPONSE TO COUNCIL'S QUESTIONS REGARDING THE 2020 OPERATING BUDGET.  
  
[Response received from BA regarding 2020 Budget Questions 12-1-19.pdf](#)
  - 3.D CHECK RECEIVED ON DECEMBER 10, 2019 FROM COVENANT PRESBYTERIAN CHURCH IN THE AMOUNT OF \$1,000.00, WHICH IS PAYMENT IN LIEU OF TAXES.  
  
[PILOT Covenant Presbyterian Church 12-10-19.pdf](#)

4. CITIZENS PARTICIPATION

5. INTRODUCTION OF ORDINANCES, RESOLUTIONS,  
APPOINTMENT AND/OR RE-APPOINTMENTS TO BOARDS &  
COMMISSIONS MOTIONS & REPORTS OF COMMITTEES

5.A Motions

6. CONSIDERATION OF ORDINANCES - READING BY TITLE

6.A NO BUSINESS AT THIS TIME.

7. FINAL READING OF RESOLUTIONS AND ORDINANCES

7.A FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF THE COUNCIL NO. 80, 2019 - AMENDING FILE OF THE COUNCIL NO. 6, 1976 ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS AND IMPOSING THE DUTIES UPON CERTAIN PERSONS, AND PROVIDING PENALTIES", BY IMPOSING THE RATE OF THE REALTY TRANSFER TAX AT TWO AND TWO TENTHS PERCENT (2.2%) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

[Ordinance-2019 Realty Transfer Tax 2020.pdf](#)

7.B FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF THE COUNCIL NO. 81, 2019 - AMENDING FILE OF THE COUNCIL NO. 11, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF TWO PERCENT (2%) ON EARNED INCOME AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO ARE RESIDENTS OF

THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS”, BY RE-ENACTING THE IMPOSITION OF THE WAGE TAX AT TWO AND FOUR TENTHS (2.4%) PERCENT ON EARNED INCOME FOR RESIDENTS AND ONE (1%) PERCENT ON EARNED INCOME FOR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

[Ordinance-2019 Earned Income Tax 2020.pdf](#)

- 7.C FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF THE COUNCIL NO. 82, 2019 - AMENDING FILE OF THE COUNCIL NO. 43, 2018, AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 100, 1976, ENTITLED “AN ORDINANCE (AS AMENDED) LEVYING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1977”, BY SETTING THE MILLAGE FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER” BY AMENDING SECTION 1 REVERTING BACK TO THE MILLAGE RATES FROM 2016 WHICH ARE .232521 MILLS LEVY ON LAND AND .050564 MILLS LEVY ON ALL BUILDINGS AND BY ELIMINATING THE DEDICATED MILLAGE FOR DEBT SERVICE CONTAINED IN SECTION 2 AND REPLACING THE DEDICATED MILLAGE FOR DEBT SERVICE WITH A DEDICATED DEBT PERCENTAGE OF 33% OF REAL ESTATE TAX REVENUES COLLECTED ON A CURRENT YEAR BASIS.

[Ordinance-2019 Millage for 2020.pdf](#)

- 7.D FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF THE COUNCIL NO. 83, 2019 - AMENDING FILE OF THE COUNCIL NO. 147, 1986, ENTITLED “AN ORDINANCE PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT THE RATE OF TWO (2) MILLS UPON THE PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM; REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS CONDITION TO THE

CONDUCTING OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING PENALTIES”, BY IMPOSING THE BUSINESS PRIVILEGE TAX AT THE RATE OF ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

[Ordinance-2019 Business Privilege Tax 2020.pdf](#)

- 7.E FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF THE COUNCIL NO. 84, 2019 - AMENDING FILE OF THE COUNCIL NO. 148, 1986, ENTITLED “AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 98, 1976 AS AMENDED, AND IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1987 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND IMPOSING PENALTIES EFFECTIVE JANUARY 1, 1987”, BY IMPOSING THE MERCANTILE LICENSE TAX AT ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

[Ordinance-2019 Mercantile License Tax 2020.pdf](#)

- 7.F FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF THE COUNCIL NO. 85, 2019 - APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE OWNED BY KAYGEECEE, INC. D/B/A J.J. BRIDGES, CURRENTLY IN SAFE KEEPING WITH THE PENNSYLVANIA LIQUOR CONTROL BOARD FORMERLY USED AT 925 NORTHERN BOULEVARD, SOUTH ABINGTON TOWNSHIP, PENNSYLVANIA, 18411, FOR USE AT 100 NORTH MAIN AVENUE, SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, 18504 AS REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

[Ordinance-2019 Transfer Liquor License KayGeeCee.pdf](#)

- 7.G FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT – FOR ADOPTION - RESOLUTION NO. 197, 2019 – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO EXECUTE AND ENTER INTO AN AGREEMENT WITH NEIGHBORWORKS OF NORTHEASTERN PENNSYLVANIA, 1510 NORTH MAIN AVENUE, SCRANTON, PENNSYLVANIA 18508 TO CREATE, ESTABLISH, AND ADMINISTER THE CITY OF SCRANTON’S HOMEBUYER PROGRAM.

[Resolution-2019 Agreement with Neighborworks to Administer Homebuyer Program.pdf](#)

- 7.H FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 198, 2019 – RE-APPOINTMENT OF MICHAEL MULLER, 830 TAYLOR AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. MICHAEL MULLER’S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2016 AND WAS HELD OVER UNTIL NOVEMBER 20, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2021.

[Resolution-2019 Re-Appt. Michael Muller to HARB.pdf](#)

- 7.I FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 199, 2019 – APPOINTMENT OF THOMAS TANSITS, 17 TERRACE DRIVE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE SCRANTON PARKING AUTHORITY EFFECTIVE OCTOBER 1, 2019. THOMAS TANSITS WILL REPLACE JOSEPH WECHSLER WHO RESIGNED EFFECTIVE FEBRUARY 5, 2019. THOMAS TANSITS WILL FULFILL THE UNEXPIRED TERM OF JOSEPH WECHSLER WHOSE TERM IS SCHEDULED TO EXPIRE ON JUNE 1, 2020.

[Resolution-2019 Appt. Thomas Tansits to Scranton Parking Authority.pdf](#)

- 7.J FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 200, 2019 – APPOINTMENT OF NORMA JEFFRIES, 619

COLFAX AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE SHADE TREE COMMISSION, EFFECTIVE OCTOBER 11, 2019. NORMA JEFFRIES IS REPLACING ANN MCNALLY WHOSE TERM EXPIRED ON OCTOBER 29, 2017. NORMA JEFFRIES IS APPOINTED TO A FIVE (5) YEAR TERM WHICH WILL EXPIRE ON OCTOBER 11, 2024.

[Resolution-2019 Appt. Norma Jeffries to Shade Tree Commission.pdf](#)

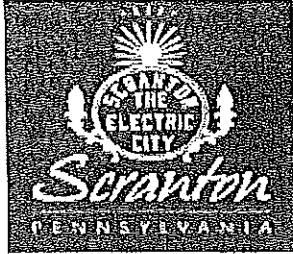
- 7.K FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 201, 2019 – RE-APPOINTMENT OF WILLIAM LESNIAK, 314 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, 18505 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. WILLIAM LESNIAK’S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2017 AND WAS HELD OVER UNTIL NOVEMBER 15, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2022.

[Resolution-2019 Re-Appt William Lesniak to HARB.pdf](#)

- 7.L FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 202, 2019 – APPOINTMENT OF JOHN R. FINNERTY, 622 WINTERMANTLE AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE PLANNING COMMISSION OF THE CITY OF SCRANTON EFFECTIVE DECEMBER 31, 2019. JOHN R. FINNERTY WILL BE REPLACING PASTOR ANTHONY ISMAEL WHOSE TERM IS SET TO EXPIRE ON DECEMBER 31, 2019 AND WILL NOT BE REAPPOINTED CREATING A VACANCY ON THE COMMISSION. MR. FINNERTY’S TERM WILL EXPIRE ON DECEMBER 31, 2023.

[Resolution-2019 Appt. John Finnerty to City Planning Commission.pdf](#)

## 8. ADJOURNMENT



## **City of Scranton**

*Civil Service Commission*

*340 N. Washington Avenue*

*Scranton, PA 18503*

*SOLICITOR: Christian Owens, Esquire*

*Chairman: Jack Loscombe*

*Commissioners: Ray Kelly, Bob Keiper*

# RECEIVED

DEC 05 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK

December 5, 2019

Mayor Wayne Evans  
Scranton City Hall- Mayor's Office  
340 N. Washington Avenue  
Scranton, PA 18503

**Re:   Scranton Civil Service Commission  
      2019 Annual Report**

Dear Mayor Evans,

Pursuant to Section III provision (4) of the Scranton Civil Service Commission Rules and Classifications, the Scranton Civil Service Commission is to issue an annual report to the Mayor "showing its own actions and rules and regulations, and all the exceptions thereto in force, and the practice effects, thereof, and any suggestions it may approve for the more effectual accomplishments of the purposes of the Civil Service Law."

Upon review of the Scranton Civil Service Commission Rules and Classifications and the amendments thereto, they are consistent with updated Pennsylvania statutory and case law. In addition to our continued review of Pennsylvania Civil Service law, Councilwoman, Mary Walsh Dempsey, Esquire provided the Civil Service Commission with documentation from a seminar she recently attended with recent updates regarding Municipal Civil Service law. A review of our Rules and Classifications and amendments thereto reflect adherence to these updates.

The Civil Service Commission also wanted to take this opportunity to provide yourself, as well as City Council and the incoming Mayor-Elect, Ms. Cagnetti, with an update regarding the testing and activities completed by the Scranton Civil Service Commission over the past calendar year.

By way of background, the Civil Service Commission is currently made up of the following individuals who volunteer their time to serve on the Commission: Jack Loscombe (Chairman), Ray Kelly (member) and Robert Keiper (member). Jeff Mackie served dutifully as a member of the Civil Service Commission for several years until his resignation this past year. He was replaced by Mr. Keiper. The Commission's term expires with the term of the Mayor, but the

Commission as well as myself were re-appointed by Mayor Evans upon his inauguration as Mayor. Denise Nytech was appointed as Confidential Secretary to the Law Department as well as Civil Service Commission coordinator over the course of this past year, replacing Mary Pat Ward who was appointed as OCED Executive Director.

A summary of the testing completed this year by the Commission are set forth below and the approved minutes from each meeting are appended to this letter.

#### Scranton Police Testing

Scranton Police promotional testing for Patrol Sergeant, Detective Sergeant and Training Sergeant was completed and lists were certified in March 2019. The lists remain active.

Police Entry testing was also completed. The police entry test involves a written examination, a physical agility examination and an oral exam. A background check is also completed. Twenty-eight (28) candidates signed up for the Police Entry exam. The Police entry list with sixteen (16) candidates who completed/passed the testing process was certified in November 2019. The list remains active. (A previous police entry test was completed in 2017-2018 and the list was certified in February 2018).

The Scranton Police Department has requested that the following promotional testing be completed: 1) Patrol Lieutenant 2) Detective 3) Administrative Lieutenant 4) Detective Lieutenant and 5) Captain.

#### Scranton Fire Testing

Scranton Fire Promotional Testing for Captain and Fire Lieutenant were completed and lists were certified in March 2019. The lists remain active.

Scranton Fire Promotional Testing for Fire Chauffeur, Fire Administrative Captain, Fire Inspector and Fire Prevention Officer were also completed and lists were certified in November 2019. The lists remain active.

Scranton Fire Entry testing was completed in 2018 with a list certified in July 2018. Fire entry testing involves a written examination, a physical agility examination and an oral exam. A list of sixty candidates was certified which is still active.

The Scranton Fire Department has requested that a Master Mechanic Promotional Testing be completed.

In addition to the testing completed by the Civil Service Commission, the Commission has also worked this year to address the indexing and future removal of old Civil Service files and documents that date back to the 1970s and are currently stored in City Hall. Upon completion



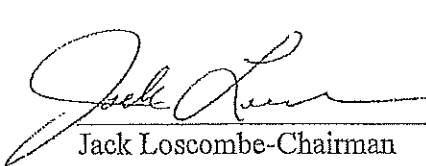
of this project, the indexed list for shredding of the documents that do not need to be maintained pursuant to statutory requirements will be presented to City Council for approval and then notice will be provided to the public regarding the destruction of these documents.

If anyone has any questions or wants to discuss any of the above, I can be reached at 570-344-6323 and/or at [Christian@theperrylawfirm.com](mailto:Christian@theperrylawfirm.com) . Thank you.

Very Truly Yours,



**CHRISTIAN J. OWENS, ESQ.**  
Civil Service Commission Solicitor



Jack Loscombe-Chairman



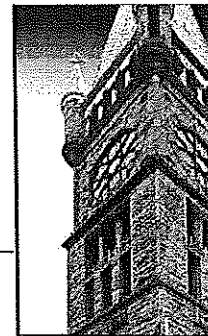
Ray Kelly-Commissioner



Bob Keiper-Commissioner

cc: Scranton City Council  
Ms. Paige Cagnetti  
Scranton Civil Service Commission

CJO



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**MEMORANDUM**

**TO:** Lori Reed, City Clerk  
**FROM:** David Bulzoni, Business Administrator  
**RE:** Letter of Council Dated November 22, 2019  
**DATE:** December 1, 2019

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I am in receipt of your letter and offer the following response.

I am not sure an "alternative analysis" is either necessary or appropriate. The principals of budget construction are: plan, execute, and adjust. Each component is considered in budget construction and all are equally important. Adjustment is generally an integral component of any budget document.

- A. A proposal received from Municipal Revenue Services (MRS) is attached. The sale of refuse receivables is a complicated matter due to the lien priority of real estate delinquencies. The City completed a sale of real estate tax receivables to MRS in 2015. The transaction was completed seamlessly. I expect the administration may consider the sale of refuse receivables following the quantification of an amnesty program. As you can see, the sale of receivables was thoroughly evaluated;
- B. The solicitor of council may obtain from the City solicitor the legal evaluation necessary for the conversion. While some discussion occurred relative to the cost reduction, the intent of the effort is to convert to a per bag hybrid program in 2021. This final conversion component would be considered Phase II of the refuse billing and collection procedure. The hybrid method would continue to reduce the base cost as well as landfill tipping fees and more commensurately spread the cost of the program effectively. Implementation of an electronic recycling program as well as an expansion of the City's recycling effort would be more thoroughly evaluated as program offerings. If Council chooses to disapprove of the initiative, I would expect the administration will continue with the present structure until the conclusion of the existing contract with the successor company of Northeast Revenue Services until another alternative is evaluated;

- C. The conversion is founded in legislation as follows and incorporated into my panel presentation regarding the same subject: "Section 303 of the Local Tax Enabling Act, as amended, 53 P.S. 6924.303 sets forth the authorization for a Payroll Preparation Tax, as referenced in Section 123(d) (2) of Act 47. The same form of authorization enables the tripling of the Local Services Tax by the City.
- D. A refuse amnesty program has not yet been quantified and is identified as an alternative to or in addition to the refuse receivables sale. This alternative will require further evaluation regarding its impact on the prospective sale of receivables.

Feel free to comment if necessary.

Pc. Jessica Eskra, City Solicitor; Mayor Wayne Evans



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## **MEMORANDUM**

**TO:** Lori Reed, City Clerk  
**FROM:** David Bulzoni, Business Administrator  
**RE:** Letter of Council Dated November 27, 2019  
**DATE:** December 1, 2019

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I am in receipt of your letter and offer the following response.

1. a. Referred to the Pennsylvania Economy League
2. Please READ the budget narrative. The referenced program is contemplated for 2020. The operative legislation would be the refuse ordinance. The law department is presently working on a draft of such legislation which would be considered by the administration AND Council in January of 2020.
  - a. A legal review may be obtained from the City Solicitor. The plan has been thoroughly researched. The intent of the program would be to expand the recycling program to small businesses and to open the electronic recycling drop off program to commercial and industrial interests, with limitations.

The concept of distribution of costs applies to most City services; the City may achieve the same distribution of costs if the operation of the program was embedded in real estate tax millage. The flat cost is a prelude to a more equitable structure achieved through a per bag hybrid program. Hence, this change would be considered a Phase I in a two-phase program. The change includes an electronic recycling drop off program and an expansion of the City's recycling efforts. The administration has met with an electronic recycler to understand the logistics of the program, has had an initial discussion with the Department of Environmental Resources regional recycling representative, and had a preliminary discussion with the County Commissioners. A participatory effort with the County is welcome but not critical. As a quasi-enterprise fund, the City should offset program costs which have been derived through forensic accounting. The most recent accounting of costs dates to fiscal year 2017. Presently, program revenues do not cover program costs. The current refuse collection

rate is approximately 67% versus a current collection rate of real estate taxes of approximately 89-90%. As noted, the incoming administration and Council may retain the existing program; The enacting legislation for the change is not the budget but the refuse program legislation. The operative question would be why?

b. City residents will be paying a lower annual bill, and have more payment alternatives, all favorable, as well as the prospect of a discount in the stated cost in accordance with the real estate tax bill reduction. I would conclude this change is fair to City residents? The second phase of the program would be more equitable since the hybrid cost would use a base fee and a per bag cost for residents. This statistical information is pertinent: Period 13-2017 Current refuse collections, \$5,023,000, delinquent refuse collections, \$1,613,811. Refuse collections period 13-2018, \$5,285,000, delinquent collections, \$1,685,000. Percentage of delinquent to current collections 2017, 32%, 2018 32%. Does this ratio not tell you something?

c. See response b. See the legal review completed through the Office of the City Solicitor.

d. An arithmetic calculation. The City's stated program cost divided by the number of improved properties received from the Lackawanna County Assessor's Office. The calculation was reviewed by the Single Tax office as well, and, with minor deviation, concurred. One would divide the number of improved parcels into the amount of the current refuse budget.

e. Reassessment allows the City to completely rethink the construction of the annual budget. As Council is aware, the valuation of real property in the City has decreased by in excess of \$10.00 million since the 2015 budget was constructed.

f. Yes. The program has been thoroughly reviewed with the Tax Collector.

g. The cost structure is designed to remedy the poor collection percentage of current refuse payments (approximately 67%). The present contract with the successor of Northeast Revenue Services, while subject to termination, concludes in mid-2020. The City would be subject to a Request for Proposal process to secure the services of a firm to collect delinquent refuse receivables. Hence, the delinquent refuse program would continue, either through the present firm or its successor.

h. No. Please revisit the proposal from Municipal Revenue Services.

Blocks program managed by Neighborworks. The source of prospective funding would be, among other sources, from the non-profit community. The University has not yet designated its funding allocation. A meeting will occur on December 5 to discuss the contribution.

24. The 2019 budget did not include the receipt of funds collected during period 13. The 2020 budget includes the capture of period 13 funds. The capture of period 13 funds is basically a cash flow versus accounting argument.
25. Please see response number 13.
26. As a self-funded program entity, health care costs may be budgeted based on both historical expenditures and cost trends. In order to effectively calculate end of year expenditures, all third quarter ending costs must be determined to complete the equation for fiscal year ending totals. If all amounts are not input, the calculation is skewed by the omission. Therefore, actual cost increases were not, for example, 39% for the fire department. The increase of 5% from the year ending 2019 projections was recommended by the City's healthcare consultant.
27. The increased budget amount was based on the assumption of emergency flood related expenditures by the Federal Emergency Management Agency. Council has been apprised of these projects. Since these projects are expected to be direct pay by the agency, the budget will return to a more traditional amount since a revenue pass through is not required. The administration is presently evaluating the expenditure of funds from this line item for Meadowbrook Creek temporary repairs, which could be classified as the second phase of work which has already been completed. Significant expenditures are not contemplated in 2020; flood related projects are included in the grant match budget.
28. The increase will try to correct wiring issues on lighting on the North Scranton Expressway which was not funded through the street lighting upgrade lease.
29. The City has the ability to fund roadway improvements from the annual liquid fuels allocation. Roadway improvements are an eligible expenditure, subject to PennDOT approval. Generally, the annual calculation, provided to Council, is the liquid fuels allocation less the PIB loan, the street lighting lease and the annual roadway improvement budget; the remainder would allow for the offset of eligible expenditures determined by the Controller's office. Eligible expenditures are embedded components of the operating budget. Any additional amount required for roadway improvements thereby reduces the amount available for eligible expenditures. This explanation has been provided to Council previously.
30. Both amounts target an electronic recycling drop off program which has yet to be undertaken by the City and are consistent with the discussion regarding the change in apportioning refuse costs.
31. The energy evaluation has not yet been completed and a costs estimate has been provided to Council less the actual ESCO component.

32. The Office of the Business Administrator has initiated many of these projects.
33. This question does not specifically relate to the budget relative to execution. Program costs have been incorporated into the operating budget and will be funded through both the Professional Services budget of the Office of Business Administration and the Department of Information Technology. The department of information Technology is researching equipment options. The equipment is generally CoStars eligible.
34. a. GPS
- b. Network administrators are responsible for maintaining computer networks and solving any problems that may occur with them. Typical responsibilities of the job include: installing and configuring computer networks and systems. identifying and solving any problems that arise with computer networks and systems. Since our department consists of only three individuals, I would believe all three would be eligible for training. Please refer to the salary survey for peer city information technology department staffing.
- c. The acquisition of another vehicle remains contemplated and not actual. The department has two dedicated vehicles, one of which is new and assigned to the Director. Given the technology upgrades throughout the City operation, the department uses the vehicles to transport equipment to the various City facilities.
- d. This inquiry would be a non-budget discussion. Consider the question. If we presently have two City vehicles in IT, we would not be subject to mileage reimbursement. If the principal use of the vehicle is for IT related matters, why would we consider requiring the employee to use his/her vehicle?
- e. MTD's, \$150,000; Servers, \$150,000, Access Control Updates, \$50,000; Cameras, unit value of \$40,000; Central Firewall, \$100,000.
35. The budget amount is based on the departmental request. I would consult with the Department of Licenses and Permits for additional information.
36. This statement references costs associated with the dissolution of the Authority and the receipt of escrow dollars.
37. Public safety building costs have been previously provided to Council. Patrol vehicle costs, matching funds for a training simulator, and new patrol rifles, \$375,000; Firearms training and ammunition due to changes in firearms, \$45,000. The total cost of public safety building improvements will be based on the final ESCO evaluation which is not yet completed.

38. This project was completed in 2018 excepting the lighting upgrades which are part of the ESCO. Several project components require revisiting, such as a cracked concrete pad, which will be replaced by the contractor in the spring and several issues with split units which have been addressed in 2019. Otherwise, this is a non-budget related question.
39. The Single Tax Office has evaluated the necessary preparations for the change. Logistical arrangements would be addressed following the approval of refuse related legislation.
40. This matter will likely be addressed following the school district's deliberation of the same. The Tax office should be considered as a viable collection alternative.
41. The net value cannot be calculated until a payoff date has been determined.
42. The City should budget a contribution annually. This amount may be allocated for associated costs with the creation of the fund. The remainder may be deposited into the fund.
43. The contract has not yet expired. The contract was executed in 2015 and will expire in 2020.
44. The narrative provides an explanation of the contemplated positions. Three principal additions include a Chief of Staff in the Mayor's Office, a Public Safety Officer/EMC in the Fire Department, and an additional salary component for my successor.
45. The administration is working with the clerical union on the job description, hence the title. If union, it would not be a managerial position. The position would provide the level of oversight which should be afforded to the programs at the origin of use. The Controller's Office would provide the necessary balance to program oversight.
46. The position is only contemplated and would be available for consideration by the incoming administration.
47. This is a non-budget question. The cost discussion occurred previously.
48. The job descriptions may be obtained through the Office of the Human Resource Director. I would expect the incoming administration may consider specific assignments with the expansion of available responsibilities.
49. It provides optionality for the incoming administration in the creation of the position.
50. Please refer to the salary survey recently forwarded to Council for review. I would have raised her salary by 40% given the choice. The value of this position, and certainly its occupant, is included in my Succession memorandum of October 2019.
51. This is a position reclassification identified under the Public Works union contract. It is a contractual obligation.
52. Specific awards should be discussed in executive session. This figure was provided by the City Solicitor.





DEPARTMENT OF BUSINESS ADMINISTRATION

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4118 • FAX: 570-348-4225

MEMORANDUM

RECEIVED  
DEC 11 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK

DATE: December 10, 2019  
TO: Wayne Beck, City Treasurer  
FROM: Nancy Krake, Staff Accountant  
RE: Check for Deposit

Enclosed kindly find the following check received from Covenant Presbyterian Church, which is payment in lieu of taxes for the City of Scranton:

<b>Covenant Presbyterian Church</b>	<b>Ck. # 10372</b>	<b>\$1,000.00</b>
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This check is to be deposited into Account #01.359.35900

cc: Mayor ~~Bill Courtright~~ *Wayne Evans*  
Mary Lynn Carey, City Controller  
Scranton City Council ✓  
File

FILE OF THE COUNCIL NO. \_\_\_\_\_

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 6, 1976 ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS AND IMPOSING DUTIES UPON CERTAIN PERSONS, AND PROVIDING PENALTIES", BY IMPOSING THE RATE OF THE REALTY TRANSFER TAX AT TWO AND TWO TENTHS PERCENT (2.2%) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

**SECTION 1.** Be it ordained by the Council of the City of Scranton that the following

Sections of File of the Council No. 6, 1976 shall be amended to read as follows:

- A. Section 2. **IMPOSITION OF TAX.** For calendar year 2020, the City of Scranton adopts the provisions of Article XI-D of the Tax Reform Code of 1971 and imposes a realty transfer tax as authorized under that Article subject to the rate limitations therein on each transfer of real property situate within the City of Scranton, or any interest therein, regardless of where the instruments making the transfers are made, executed or delivered, or where the actual settlements on such transfers take place. On and after the effective date of this Ordinance, every person who accepts delivery of any document or on whose behalf delivery of any document is accepted, shall be subject to pay a tax of 2.2 percentum of the value of the property represented by such documents which tax shall be payable at the time of the acceptance of delivery of the document. Where any document is delivered to the Commonwealth, to a political subdivision or to an authority created by the Commonwealth, or a political subdivision, the person by whom the document was made, executed, issued or delivered shall be subject to pay the tax, unless the transfer is between such governmental agencies, in which case no tax shall be paid. Where any lands, tenements or hereditament are situate partly within and partly without the boundaries of the City of Scranton, the tax shall be paid on the value of the portion of the lands, tenements or hereditament situate within the City of Scranton, the tax shall be paid on the value of the portion of the lands, tenements or hereditament situate within the City of Scranton."
- B. Section 6. **INTEREST.** Any tax under Section 2 that is not paid by the date the tax is due shall bear interest as prescribed for interest on delinquent municipal claims under the Act of May 16, 1923 (P.L. 207, No. 153) (53 P.S. Section 7101, et seq.) as amended, known as "The Municipal Claims and Tax Liens Act". The interest rate shall be the lesser of the interest rate imposed upon delinquent Commonwealth taxes as provided in Section 806 of the Act of April 9, 1929 (P.L. 343, No. 176) (72 P.S. S806), as amended, known as "The Fiscal Code", or the maximum interest rate permitted under the Municipal Claims and Tax Liens Act for tax claims.
- C. Section 11. **EFFECTIVE DATE.** The provisions of this ordinance shall become effective on and be applicable to any document made, executed, delivered, accepted or presented for recording on or after October 5, 2005 and shall be effective annually thereafter, without annual reenactment unless and until there is a change in the rate of taxation, pursuant to the Local Tax Enabling Act, 53 Pa. C.S. § 6924.306.

**SECTION 2.** In all other respects, File of the Council No. 6, 1976 shall remain in full force and effect.

**SECTION 3.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this ordinance and the effective administration thereof.

**SECTION 4.** This Ordinance shall become effective January 1, 2020.

**SECTION 5.** If the correct amount of the tax is not paid by the last date prescribed for timely payment, The City of Scranton, pursuant to Section 1102-D of the Tax Reform Code of 1971 (72 P.S. S 8102-D), authorizes and directs the Department of Revenue of the Commonwealth of Pennsylvania to determine, collect and enforce the tax, interest and penalties.

**SECTION 6.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



DEPARTMENT OF LAW

P E N N S Y L V A N I A CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 25, 2019

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NOV 25 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 6, 1976 ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS AND IMPOSING DUTIES UPON CERTAIN PERSONS, AND PROVIDING PENALTIES", BY IMPOSING THE RATE OF THE REALTY TRANSFER TAX AT TWO AND TWO TENTHS PERCENT (2.2%) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

Respectfully,

*Joseph Price (B)*  
Joseph G. Price, Esquire  
Assistant City Solicitor

JLE/sl

FILE OF THE COUNCIL NO. \_\_\_\_\_

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 11, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF TWO PERCENT (2%) ON EARNED INCOME AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS", BY RE-ENACTING THE IMPOSITION OF THE WAGE TAX AT TWO AND FOUR TENTHS (2.4%) PERCENT ON EARNED INCOME FOR RESIDENTS AND ONE (1%) PERCENT ON EARNED INCOME FOR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF

SCRANTON, and it is hereby ordained that Part II of File of the Council No. 11, 1976 is hereby amended to read as follows:

"II. IMPOSITION OF TAX.

An annual tax for general revenue purposes of two and four tenths percent (2.4%) is hereby imposed on the earned income received and net profits earned in the period beginning January 1<sup>ST</sup> and ending December 31<sup>ST</sup> annually by all persons, individuals, associations, and businesses who are residents of the City of Scranton, and one percent (1%) on non-residents of the City of Scranton, for work done, services performed or businesses conducted within the City of Scranton."

SECTION 2. If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this ordinance and the effective administration thereof.

SECTION 3. In all other respects, File of the Council No. 11, 1976 shall remain in full force and effect.

SECTION 4. This Ordinance shall become effective January 1, 2020.

SECTION 5. This Ordinance is enacted by the Council of the City of Scranton and said taxes are levied pursuant to the authority of the Act of the Legislature, April 13, 1972, Act No.



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COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 11, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF TWO PERCENT (2%) ON EARNED INCOME AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS", BY RE-ENACTING THE IMPOSITION OF THE WAGE TAX AT TWO AND FOUR TENTHS (2.4%) PERCENT ON EARNED INCOME FOR RESIDENTS AND ONE (1%) PERCENT ON EARNED INCOME FOR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

Respectfully,

Joseph G. Price, Esquire  
Assistant City Solicitor

JGP/sl

FILE OF THE COUNCIL NO. \_\_\_\_\_

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 43, 2018, AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 100, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) LEVYING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1977", BY SETTING THE MILLAGE FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER" BY AMENDING SECTION 1 REVERTING BACK TO THE MILLAGE RATES FROM 2016 WHICH ARE .232521 MILLS LEVY ON LAND AND .050564 MILLS LEVY ON ALL BUILDINGS AND BY ELIMINATING THE DEDICATED MILLAGE FOR DEBT SERVICE CONTAINED IN SECTION 2 AND REPLACING THE DEDICATED MILLAGE FOR DEBT SERVICE WITH A DEDICATED DEBT PERCENTAGE OF 33% OF REAL ESTATE TAX REVENUES COLLECTED ON A CURRENT YEAR BASIS.

**SECTION 1.** Be it ordained by the Council of the City of Scranton, that Section 1 of File of the Council No. 100, 1976 shall be amended to read as follows:

"The Council of the City of Scranton ordains that for the purpose of defraying the expense of the City of Scranton for the fiscal year commencing on the first day of January, 2020 and certain other deficiencies prior thereto, a tax is hereby levied on all real, personal and mixed property within the limits of the City of Scranton, Pennsylvania taxable according to the laws of the Commonwealth of Pennsylvania as follows:

To provide for the payment of general expenses and to provide for the various interest and sinking funds as required by law, there is hereby levied on each thousand dollar of valuation in the Scranton Twenty-Four Ward area:

**For General Expense and Sinking Fund purposes:**

Levy on all Land	.232521 millage rate
Levy on all buildings	.050564 millage rate

The total levy for general and special purpose is two hundred thirty two dollars and .521 cents (\$232.521) on each one thousand dollars of said valuation of land, and fifty dollars and .564 cents (\$50.564) on each one thousand dollars of said valuation on all buildings."

The total levy remains unchanged from 2016 at 283.085 mills.

**SECTION 2.** Eliminating the dedicated millage for debt service and imbedding a dedicated percentage of revenues thereby meeting the intent of a segregated stream of revenues assigned to debt service. To address the continued dedication of real estate tax revenue, the Single Tax Office will be notified, and the amended legislation will certify, that 33% of real estate tax revenue on a current year basis will be remitted to the City's Single Point Paying Agent to meet the budgeted debt service requirement for the fiscal year.

**SECTION 3.** This Ordinance shall become effective January 1, 2020.

**SECTION 4.** In all other respects, File of the Council No. 100, 1976 shall remain in full force and effect.

**SECTION 5.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Ordinance and the effective administration thereof.

**SECTION 6.** The tax imposed herein is effective for calendar year 2020 and shall remain in full force and effect annually thereafter, without annual reenactment unless and until there is a change in the rate of taxation, pursuant to the Local Tax Enabling Act, 53 Pa. C.S. § 6924.306 and the Act of the Legislature, April 13, 1972, Act No. 62.

**SECTION 7.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.





DEPARTMENT OF LAW

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OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 43, 2018, AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 100, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) LEVYING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1977", BY SETTING THE MILLAGE FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER" BY AMENDING SECTION 1 REVERTING BACK TO THE MILLAGE RATES FROM 2016 WHICH ARE .232521 MILLS LEVY ON LAND AND .050564 MILLS LEVY ON ALL BUILDINGS AND BY ELIMINATING THE DEDICATED MILLAGE FOR DEBT SERVICE CONTAINED IN SECTION 2 AND REPLACING THE DEDICATED MILLAGE FOR DEBT SERVICE WITH A DEDICATED DEBT PERCENTAGE OF 33% OF REAL ESTATE TAX REVENUES COLLECTED ON A CURRENT YEAR BASIS.

Respectfully,

*Joseph Price (s)*  
Joseph G. Price, Esquire  
Assistant City Solicitor

JGP/sl

FILE OF THE COUNCIL NO. \_\_\_\_\_

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 147, 1986, ENTITLED "AN ORDINANCE PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT THE RATE OF TWO (2) MILLS UPON THE PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM; REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING PENALTIES", BY IMPOSING THE BUSINESS PRIVILEGE TAX AT THE RATE OF ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

**SECTION 1.** Be it ordained by the Council of the City of Scranton that Section 3 of File of the Council No. 147, 1986 shall be amended to read as follows:

"Section 3. Imposition and rate of tax:  
Beginning with the tax year 2020, and  
annually thereafter, every person engaging  
in any business in the City of Scranton shall  
pay an annual tax at the rate of one (1) mill  
(.001) on each dollar of volume of the  
gross annual receipts thereof."

**SECTION 2.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this ordinance, and the effective administration thereof.

**SECTION 3.** In all other respects, File of the Council No. 147, 1986 shall remain in full force and effect.

**SECTION 4.** This Ordinance shall become effective January 1, 2020.

**SECTION 5.** This Ordinance is enacted by the Council of the City of Scranton and said taxes are levied pursuant to the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



DEPARTMENT OF LAW

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To the Honorable Council  
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Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 147, 1986, ENTITLED "AN ORDINANCE PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT THE RATE OF TWO (2) MILLS UPON THE PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM; REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING PENALTIES", BY IMPOSING THE BUSINESS PRIVILEGE TAX AT THE RATE OF ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

Respectfully,

*Joseph G. Price (s)*

Joseph G. Price, Esquire  
Assistant City Solicitor

JGP/sl

FILE OF THE COUNCIL NO. \_\_\_\_\_

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 148, 1986, ENTITLED "AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 98, 1976, AS AMENDED, AND IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1987 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND IMPOSING PENALTIES EFFECTIVE JANUARY 1, 1987", BY IMPOSING THE MERCANTILE LICENSE TAX AT ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON, that

Section 4 of File of the Council No. 148, 1986 shall be amended to read as follows:

"Section 4. Imposition and rate of tax.

Every person engaging in any of the following occupations or businesses in the City shall pay a Mercantile License Tax for the year 2020 and annually thereafter at the rate set forth:

- (a) Wholesale vendors or dealers in goods, wares and merchandise, at the rate of one (1) mill (.001) on each dollar of the volume of the annual gross business transacted by them;
- (b) Retail vendors or dealers in goods, wares and merchandise, at the rate of one (1) mill (.001) on each dollar of the volume of annual gross business transacted by them;
- (c) All persons or entities engaged in conducting restaurants or other places where food, drink or refreshments are sold, whether or not the same be incidental to some other business or occupation, and all persons or entities conducting places of amusement or entertainment, whether or not the same be incidental to some other business or occupation, at the rate of one (1) mill (.001) on each dollar of the volume of the annual gross business transacted by them; and
- (d) The tax imposed by this Section shall not apply to the dollar volume of annual business covering the resale of goods, wares or merchandise taken by a dealer as a trade-in or part-payment for other goods or wares, except to the extent that the resale price exceeds the trade-in allowance."

**SECTION 2.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the



DEPARTMENT OF LAW

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OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 148, 1986, ENTITLED "AN ORDINANCE, AMENDING FILE OF THE COUNCIL NO. 98, 1976, AS AMENDED, AND IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1987 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND IMPOSING PENALTIES EFFECTIVE JANUARY 1, 1987", BY IMPOSING THE MERCANTILE LICENSE TAX AT ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

Respectfully,

*Joseph Price (s)*  
Joseph G. Price, Esquire  
Assistant City Solicitor

JGP/sl

FILE OF THE COUNCIL NO. \_\_\_\_\_

2019

AN ORDINANCE

APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE OWNED BY KAYGEECEE, INC. D/B/A J.J. BRIDGES, CURRENTLY IN SAFE KEEPING WITH THE PENNSYLVANIA LIQUOR BOARD FORMERLY USED AT 925 NORTHERN BOULEVARD, SOUTH ABINGTON TOWNSHIP, PENNSYLVANIA, 18411, FOR USE AT 100 NORTH MAIN AVENUE, SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, 18504 AS REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

WHEREAS, the Pennsylvania Liquor Control Board ("PLCB") requires that the governing body of a municipality pass legislation approving an inter-municipal transfer of a liquor license when a municipality has met its quota of liquor licenses; and

WHEREAS, Grappa, LLC wishes to transfer Pennsylvania Liquor License Number R-15715 owned by KayGeeCee, Inc. d/b/a J.J. Bridges, currently in safe keeping with the Pennsylvania Liquor Control Board, formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania, 18411 to the City of Scranton to be used by Grappa, LLC, 100 North Main Avenue Scranton, Lackawanna County, Pennsylvania to operate a restaurant; and

WHEREAS, the Council of the City of Scranton approves the transfer of this license subject to its authority regarding inter-municipal transfers and subject to public comment on the same.

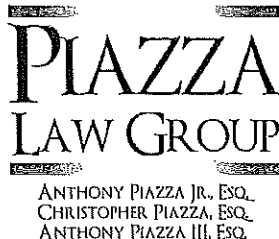
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the inter-municipal transfer request of Grappa, LLC wishes to transfer Liquor License Number R-15715 owned by KayGeeCee, Inc., d/b/a J.J. Bridges currently in safe keeping by the Pennsylvania Liquor Control Board formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania to the City of Scranton for use at 100 North Main Avenue, Scranton, Pennsylvania is hereby approved.

**SECTION 1.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or

any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

**SECTION 2.** This Ordinance shall become effective immediately upon approval.

**SECTION 3.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Option Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.



November 19, 2019

Jessica Eskra, Esquire  
Sally Locker slocker@scrantonpa.gov  
City of Scranton Solicitor-Scranton City Hall  
340 North Washington Avenue  
Scranton, Pennsylvania 18503

Re: Pennsylvania Liquor Control Board License Number R-15715 currently owned by KayGeeCee, Inc. d/b/a J.J. Bridges, currently in safekeeping with the Pennsylvania Liquor Control Board formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania to Grappa, Inc.

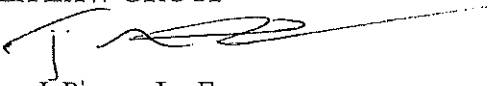
Dear Jessica and Sally:

I represent Grappa, LLC regarding the transfer of the Liquor License from KayGeeCee, Inc., d/b/a J.J. Bridges, currently in safekeeping with the Pennsylvania Liquor Control Board formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania to Grappa, Inc. for use at 100 N. Main Avenue, Scranton, Lackawanna County, Pennsylvania.

Grappa, LLC seeks to transfer Pennsylvania Liquor Control Board License Number R-15715 currently owned by KayGeeCee, Inc. d/b/a J.J. Bridges, currently in safekeeping with the Pennsylvania Liquor Control Board formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania to Grappa, Inc. for use at 100 N. Main Avenue, Scranton, Lackawanna County, Pennsylvania to operate a restaurant. I respectfully request that the matter be presented to the City Council as soon as possible. Enclosed is a draft Ordinance for review and approval.

Should you have any questions or any additional information is needed, please feel free to contact me. Thank you.

Very truly yours,  
PIAZZA LAW GROUP

  
Anthony J. Piazza, Jr., Esq.

AJP/taw  
encl.

Phone: 570-382-3143 Facsimile 570-483-4684  
801 Boulevard Avenue, Dickson City, PA 18519  
or  
1500 Walnut Street, Suite 1060, Philadelphia, PA 19102  
1-855-LAW-NEPA WWW.PIAZZALAWGROUP.COM





DEPARTMENT OF LAW

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To the Honorable Council  
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Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE OWNED BY KAYGEECEE, INC. D/B/A J.J. BRIDGES, CURRENTLY IN SAFE KEEPING WITH THE PENNSYLVANIA LIQUOR BOARD FORMERLY USED AT 925 NORTHERN BOULEVARD, SOUTH ABINGTON TOWNSHIP, PENNSYLVANIA, 18411, FOR USE AT 100 NORTH MAIN AVENUE, SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, 18504 AS REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Respectfully,

*Joseph Price (S)*

Joseph G. Price, Esquire  
Assistant City Solicitor

JGP/sl

RESOLUTION NO. \_\_\_\_\_

2019

**AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO EXECUTE AND ENTER INTO AN AGREEMENT WITH NEIGHBORWORKS OF NORTHEASTERN PENNSYLVANIA, 1510 NORTH MAIN AVENUE, SCRANTON, PENNSYLVANIA 18508 TO CREATE, ESTABLISH, AND ADMINISTER THE CITY OF SCRANTON'S HOMEBUYER PROGRAM.**

WHEREAS, the City of Scranton, through its Office of Economic and Community Development, receives HOME Investment Partnership Program funding from the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, in connection with such funding and in accordance with 42 United States Code Sec. 12701, et seq. "HOME Investment Partnership Act", HUD allows the City of Scranton to create, establish, and administer a Homebuyer Program; and

WHEREAS, the Homebuyer Program provides fair and affordable housing and related services to low and moderate income citizens; and

WHEREAS, the City of Scranton's Homebuyer Program provides federal housing assistance to low and moderate income homebuyers purchasing a home within the City of Scranton; and

WHEREAS, the City of Scranton's Homebuyer Program includes but is not limited to coordinating and facilitating marketing and outreach, eligibility determination, providing economic/financial assistance counseling by certified staff, improving client understanding of HUD guidelines, scheduling home inspections, scheduling and facilitating the homebuyer closing process, and creating a customer focused and customer friendly process; and

WHEREAS, the City of Scranton Office of Economic and Community Development publicly sought requests for proposals to create, establish, and administer the City of Scranton's Homebuyer Program, attached hereto as Exhibit "A"; and

WHEREAS, the most qualified proposal received to create, establish, and administer the City of Scranton's Homebuyer Program was submitted by NeighborWorks of Northeastern Pennsylvania, attached hereto as Exhibit "B"; and

WHEREAS, the City of Scranton desires to accept the proposal of NeighborWorks of Northeastern Pennsylvania to create, establish, and administer the City of Scranton's Homebuyer Program by entering into the Agreement attached hereto as Exhibit "C" and incorporated herein as if set forth at length.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the Mayor and other appropriate City Officials are hereby authorized to execute and enter into an Agreement, substantially in the form attached hereto as Exhibit "C", with NeighborWorks of Northeastern Pennsylvania to create, establish, and administer the City of Scranton's Homebuyer Program.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, Known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



December 4, 2019

*Via Hand Delivery*

Jessica Eskra, Esquire  
340 North Washington Avenue  
4<sup>th</sup> Fl., Law Department  
Scranton, PA 18503

**Re: Resolution**

**OECD on behalf of the City of Scranton – NeighborWorks to Create, Establish, and Administer Homebuyer Program**

Dear Attorney Eskra:

The City of Scranton, specifically OECD, is requesting approval enter into an Agreement which will allow NeighborWorks of Northeastern Pennsylvania to create, establish, and administer the City's Homebuyer Program.

OECD is requesting that you review the attached Resolution and submit it to City Council for approval.

Please do not hesitate to contact me if you should need additional information.

Sincerely,

Mary-Pat Ward  
Executive Director

/mpw

## Exhibit “A”

# **REQUEST FOR PROPOSAL CITY OF SCRANTON HOMEBUYER PROGRAM**

**City of Scranton  
Office of Economic and Community Development  
Municipal Building  
340 North Washington Avenue  
Scranton, Pennsylvania 18503  
Phone: 570/348-4216  
FAX – 570-348-4123  
TDD – 570/348-4233**

**REQUEST FOR PROPOSAL  
CITY OF SCRANTON  
HOMEBUYER PROGRAM**

***Introduction:***

*Please read carefully. If you have any questions, please do not hesitate to contact the Office of Economic and Community Development (OECD) at 570/348-4216.*

The City of Scranton, through the Office of Economic and Community Development (OECD), is a department that among many other initiatives provides fair and affordable housing and related services to low- and moderate-income citizens of Scranton, Pennsylvania. OECD administers federal housing programs through the U. S. Department of Housing and Urban Development (HUD) through the HOME Investment Partnership Program (HOME) and the Community Development Block Grant Program (CDBG).

This "Request for Proposals" (RFP) is for the City of Scranton's Homebuyer Program which provides federal housing assistance to low and moderate-income homebuyers purchasing a home within the City of Scranton.

**A. Type of Service**

Scranton's OECD is requesting Proposals from qualified organizations to help assist in administering the Homebuyer Program under the HUD HOME regulations and to provide the following scope of services for a term of three (3) years:

- Program Creation;
- Coordinate and facilitate marketing and outreach;
- Application review to determine eligibility;
- Provide Economic/Financial Counseling by Certified Staff;
- Improve client understanding of HUD guidelines/program;
- Provide Activity Reports/data collection and verifiable source documentation;
- Scheduling of home inspections;
- Schedule and facilitate closing process and all related materials;
- Improve and increase the successfulness of the program by creating a customer focused and customer friendly process.

The City expects the Offeror to have the capacity to exercise independent judgment and to perform services necessary to achieve the program objectives in a manner consistent with senior technical management and staff.

The City intends to select an offeror which it deems best qualified, in its judgment, to provide all of the services requested.

The City will negotiate with the Offeror it deems most qualified to determine the fee for such services. If the City is unable to negotiate a fee which seems reasonable, the City may negotiate with the Offeror deemed second best qualified, or the City may issue another Request for Proposals.

**B. INFORMATION AND DATA REQUIRED OF EACH OFFEROR:**

Each proposal shall contain a response to each of the following:

**1. Qualifications and Experience**

- a. Demonstrate the Offeror's experience performing the tasks requested under the scope of services for this RFP and a list of clients/agencies for which similar services have been provided. The client list provided must identify the agency, a brief description of the service or project, and a key contact person with current address, phone, and e-mail address;
- b. Identify the key personnel responsible for providing the requested services. Demonstrate that the key professional staff has the knowledge and ability to perform the work requested. Indicate any experience that the key professional staff have obtained from work on similar projects or in undertaking similar work responsibilities;
- c. Identify specific individuals who would be assigned to work with OECD and specify which person would be the primary contact person with OECD;
- d. Copies of all City, County, and State licenses, if applicable;
- e. Familiarity with the City of Scranton, the housing needs of the City, and its residents;
- f. Must have a Certified Home Counselor on staff who conducts Homebuyer Education Services with the State of Pennsylvania;
- g. Must have a minimum of three (3) years' experience administering homebuyer assistance programs within the past five (5) years;
- h. Must have Professional Liability Insurance Coverage;

**2. Work Plans**

- a. The Offeror shall prepare a work plan to address each task outlined in the types of services requested. The work plans shall include, but not be limited to: allocating resources and personnel, the ability to provide continuity, and a timely response over the course of the contract period including but not limited to scheduled/unscheduled monitoring.

**3. Participation by Small Business Firm, Minority Owned Enterprise, Section 3 (Scranton based) Firm, or Women Owned Enterprise**

- a. If the Offeror qualifies under any of the following categories, the Offeror shall set forth the basis for qualifying under these categories:
  - (1) **Small Business Firm** – less than \$2.5 million in annual receipts.



- (2) **Minority Owned Enterprise (MBE)** – the principal owner(s) is a minority.
- (3) **Section 3 Firm** – located in City of Scranton.
- (4) **Women Owned Enterprise (WBE)** – the principal owner(s) is a female.

#### **4. Compensation**

A maximum percentage of 10% for an administration fee is capped in any program year for service compensation.

#### **C. Comparative Evaluation Criteria:**

The City of Scranton will evaluate each written proposal, determine whether oral discussions with the Offerors are necessary, then based on the content of the written proposal and oral discussions, if any, select an organization best qualified for the assignment based on the data submitted and whose offer is most advantageous to the City, price, and other factors considered.

In evaluating the proposal, the City will assign points for each segment of the proposal in accordance with the criteria hereinafter set forth. The Offeror with the highest total points will be selected for the purpose of negotiating a contract. If the City is not satisfied with the basis used by the Offeror or with the price of the services to be rendered, the City may proceed to negotiate a contract with the Offeror with the next highest point total. The points to be awarded are set forth below:

##### **1. Qualifications and Experience – (Maximum 60 points)**

- a. Demonstrate constructive experience in administering homebuyer assistance programs. Must have at least three (3) years' experience in homebuyer administration within the past five (5) years. (15 points)
- b. Identify the key personnel to be assigned to render the requested scope of services. Demonstrate that key professional staff has the knowledge and ability to perform the work requested. Indicate any experience that the professional staff have obtained from work on similar projects or in undertaking similar work responsibilities. (15 points)
- c. Familiarity with the City of Scranton, the needs of the City, and its residents. (5 points)
- d. Must have a Certified Home Counselor on staff who conducts Homebuyer Education Services with the State of Pennsylvania. (15 points)
- e. Perform the tasks requested under the scope of services for this RFP. (10 Points)

**2. Work Plans – (Maximum 30 points)**

- a. Quality of consultant's work plans, including but not limited to allocating resources and personnel and ability to provide both continuity and timely response over the course of the contract period and be prepared for scheduled/unscheduled monitoring.

**3. Participation by Small, Minority, Women, or Section 3 Firms – (Maximum 10 points)**

- a. Any offeror who meets one or more of the following factors shall receive two and one half (2 1/2) points for each factor met:
- |                                     |              |
|-------------------------------------|--------------|
| (1) Small business firm             | (2.5 points) |
| (2) Minority owned enterprise       | (2.5 points) |
| (3) Section 3 (Scranton based) firm | (2.5 points) |
| (4) Women owned enterprise          | (2.5 points) |

**CITY CONTACT INFORMATION:**

To request a copy of this Request for Proposal, contact:

Mary Pat Ward, Executive Director, OECD  
Email: [mpward@scrantonpa.gov](mailto:mpward@scrantonpa.gov)  
Phone: 570-348-4216 ext. 4256

The City can provide the request for proposals by postal service delivery, email, or they can be picked up at OECD.

**PROPOSAL SUBMISSION:**

Offerors shall submit an original and two (2) copies of their proposals and supporting documentation by 11:00 a.m. prevailing time, Wednesday, November 13, 2019 to:

Office of City Controller  
Scranton Municipal Building  
340 N. Washington Avenue,  
2<sup>nd</sup>, Floor  
Scranton, Pa 18503

To determine an organization that can provide the highest quality of work at a reasonable fee, please complete the following checklist in conjunction with reviewing RFP. All sections must be submitted to the fullest extent possible.

Qualifications and Experience:

- \_\_\_\_\_ Demonstrate the Offeror's experience performing the tasks requested under the scope of services for this RFP and a list of clients/agencies for which similar services have been provided. The client list provided must identify the agency, a brief description of the service or project, and a key contact person with current address, phone, and e-mail address;
- \_\_\_\_\_ Identify the key personnel responsible for providing the requested services. Demonstrate that the key professional staff have the knowledge and ability to perform the work requested. Indicate any experience that the key professional staff have obtained from work on similar projects or in undertaking similar work responsibilities;
- \_\_\_\_\_ Identify specific individuals who would be assigned to work with OECD and specify which person would be the primary contact person with OECD;
- \_\_\_\_\_ Copies of all City, County, and State licenses, if applicable;
- \_\_\_\_\_ Familiarity with the City of Scranton, the housing needs of the City, and its residents;
- \_\_\_\_\_ Must have a Certified Home Counselor on staff who conducts Homebuyer Education Services with the State of Pennsylvania;
- \_\_\_\_\_ Must have a minimum of three (3) years' experience administering homebuyer assistance programs within the past five (5) years;
- \_\_\_\_\_ Must have Professional Liability Insurance Coverage;
- \_\_\_\_\_ The Offeror shall prepare a work plan to address each task outlined in the types of services requested. The work plans shall include, but not be limited to: allocating resources and personnel, the ability to provide continuity, and a timely response over the course of the contract period including but not limited to scheduled/unscheduled monitoring.
- \_\_\_\_\_ If the Offeror qualifies under any of the following categories, the Offeror shall set forth the basis for qualifying under these categories:
  - (1) Small Business Firm – less than \$2.5 million in annual receipts.
  - (2) Minority Owned Enterprise (MBE) – the principal owner(s) is a minority.
  - (3) Section 3 Firm – located in City of Scranton.
  - (4) Women Owned Enterprise (WBE) – the principal owner(s) is a female.
- \_\_\_\_\_ Compensation - A maximum percentage of 10% for an administration fee is capped in any program year for service compensation.

Signature: \_\_\_\_\_

Printed Name/Date: \_\_\_\_\_

## Exhibit “B”



# PROPOSAL

## City of Scranton -Homebuyer Program-

NeighborWorks Northeastern Pennsylvania  
1510 North Main Avenue  
Scranton, PA 18508

Contact person:

Jesse Ergott  
President & CEO  
570-558-2490  
[jergott@nwnepa.org](mailto:jergott@nwnepa.org)

**November 13<sup>th</sup>, 2019**





## **Qualifications & Experience**

### **About NeighborWorks Northeastern Pennsylvania:**

NeighborWorks® Northeastern Pennsylvania (NWNEPA) is a 501(c)(3) not-for-profit organization that has worked for over 35 years to improve the financial stability of families throughout the City of Scranton, Lackawanna County and Northeastern Pennsylvania by providing effective homeownership and housing services and neighborhood revitalization initiatives. NWNEPA provides critical services such as financial coaching, homebuyer education, foreclosure prevention, home repairs and modifications, blight reduction, facilitating financing for home purchases, and more to neighbors who need a helping hand.

NWNEPA is a chartered member of the National NeighborWorks Network, a system of 250 organizations focused on comprehensive community development work in all 50 states throughout the country.

### **A. Relevant Experience:**

NWNEPA opened its Homeownership Center over 20 years ago, with the goal of assisting the residents of northeastern Pennsylvania with purchasing and maintaining their homes. Since then, NWNEPA has provided a variety of educational services, including pre-purchase homebuyer workshops, housing and credit counseling, foreclosure prevention, and financial literacy training and coaching. As a HUD-certified housing counseling agency and an approved participant in the Pennsylvania Housing Finance Agency's (PHFA) Comprehensive Housing Counseling Initiative, NWNEPA has both federal and state accreditations to provide all the necessary services for the City of Scranton Homebuyer Program. Each year, we assist between 80-100 prospective homebuyers with the purchase of their new home in the City of Scranton and throughout Lackawanna County.

NWNEPA also has extensive, relevant experience in each of the tasks listed in the RFP's Scope of Services due to our organization's involvement in planning and executing numerous housing-related programs and services throughout the region. Recent examples include:

- 1) **The Lackawanna County First-Time Homebuyer Program (2009-2015).**  
NWNEPA partnered with Lackawanna County's Department of Planning & Economic Development to implement their ACT 137-funded Homebuyer Program for a 6-year period. During this time, we managed the intake, eligibility review, homebuyer education, pre-purchase counseling, and closing activities for 29 homebuyers (as well as additional applicants who did not end up purchasing a home). Our administration of this program included program design, outreach, implementation, and follow-up reporting.

**Agency:** Lackawanna County Department of Planning & Economic Development

**Contact:** Brenda Sacco, [saccob@lackawannacounty.org](mailto:saccob@lackawannacounty.org); 570-963-6830 Ext. 1376

**Address:** 123 Wyoming Avenue, Scranton PA 18503





- 2) **The City of Scranton Homebuyer Assistance Program (2016-Current).** This program, designed to incentivize home purchases in the City with exterior improvement grants, has assisted over 30 new homebuyers over the past 3 years. NWNEPA worked with then-Councilman (and now Mayor) Wayne Evans on the design and launch of the program and was successful in receiving additional resources to support it through the Pennsylvania Housing Finance Agency's PHARE program.

**Agency:** City of Scranton OECD / Scranton City Council

**Contact:** Dave Bulzoni, Business Administrator; [dbulzoni@scrantonpa.gov](mailto:dbulzoni@scrantonpa.gov);  
570-348-4118

**Address:** Scranton City Hall, 340 North Washington Ave., Scranton PA 18503

- 3) **The Lackawanna County Aging in Place Program (2017-Current).** This program was created to assist older homeowners throughout Lackawanna County with services to help them age safely and with dignity in their own homes. Created in partnership with the Lackawanna County Area Agency on Aging, this program emphasizes keeping seniors as active members of our neighborhoods by modifying their homes and connecting them with other crucial homeownership and community services. NWNEPA created this program from the ground up, including program design, capacity-building, marketing, resource development, and implementation. To date, we have assisted over 120 seniors with physical modifications and other services.

**Agency:** Lackawanna County Area Agency on Aging

**Contact:** Jason Kavulich, Director; [kavulichj@lackawannacounty.org](mailto:kavulichj@lackawannacounty.org);  
570-963-6740, ext. 1216

**Address:** 123 Wyoming Avenue, 4<sup>th</sup> Floor, Scranton PA 18503

In addition, NWNEPA has experience in managing the following related programs in recent history:

- The City of Scranton's Beautiful Blocks Program (2019)
- The City of Scranton's HOME Rehabilitation Program (2004-2013)
- Borough of Dunmore HOME Rehabilitation Program (2012-2015)

**B. Key Personnel:**

**Jesse Ergott, President & CEO.** Mr. Ergott has over 15 years' experience in program development, resource development, implementation, and advocacy that includes each of the aforementioned programs listed.

**Pamela Anslinger, Financial & HomeOwnership Specialist.** Ms. Anslinger holds housing counseling and homebuyer education certifications from HUD, the Pennsylvania Housing Finance Agency, and NeighborWorks America. As one of only a few housing counselors in the entire region who has received her HUD Counseling Certification, she has established herself





as a leader in the field. She also has established and maintains many key relationships relevant to this program which includes realtors, lenders and other industry-specific specialists. She is familiar with the requirements for existing local, state and federal homebuyer programs and already works daily with prospective homebuyers who are seeking assistance and advice.

In addition, NWNEPA is currently seeking to fill a new **HomeOwnership Assistant** position to increase our current capacity to allow for an increased client load for this program and other expansion efforts we are pursuing.

Finally, NWNEPA also employs a licensed Realtor, **Jennifer Dougherty**, who currently heads up our real estate development work but also contributes to our homeownership programming by advising on key aspects of program development, implementation, and reporting.

**C. Staff Assigned to Work W/ OECD.**

For the purposes of this program the following staff will be the primary points of contact:

- 1) **Jesse Ergott:** Program Development, Contracts
- 2) **Pamela Anslinger:** Client Services, Reporting

**D. Copies of Licenses (If Applicable).**

The following licenses/information are attached (in this order):

- 1) PA Dept. of State – Certification of Good Standing
- 2) Printout - HUD Housing Counseling Agency Info.
- 3) P. Anslinger – HUD Counseling Certification
- 4) Homeownership Education National Industry Standards - Certificate of Adoption
- 5) Homeownership Counseling National Industry Standards - Certificate of Adoption

**E. Familiarity with the City of Scranton:**

Established in the City of Scranton in 1981 as an organization with the specific mission to encourage and strengthen homeownership in the City, NWNEPA has a long history and deep roots of working with City homebuyers and homeowners. We operate the only designated NeighborWorks HomeOwnership Center in the region and have extensive relationships with key financial institutions, real estate brokerage firms, and other key players in the home purchase space. With on-staff expertise in real estate, resource development, counseling, marketing, program management and evaluation, and other key skills, NWNEPA is uniquely situated to implement the City of Scranton Homebuyer Program in the City we call home. Each year, we work with hundreds of Scranton residents (and prospective residents) to assist with many types of housing issues. This contributes to our deep knowledge of issues facing the City in respect to housing, homeownership, and neighborhood revitalization.

**F. Certified Housing Counselor:**

Pamela Anslinger is a HUD-Certified Housing Counselor and has also received multiple certifications from PHFA and NeighborWorks America.





**G. Experience in Administering Homebuyer Assistance Programs:**

For the past 20 years, NWNEPA has administered a homebuyer assistance program through our HomeOwnership Center. Services have included: homebuyer education, pre-purchase counseling, financial fitness coaching, administration of and help with down payment assistance programs, and other related services.

**H. Professional Liability Insurance:**

NWNEPA holds professional liability insurance which is up to date.

**Work Plan Elements**

**Program Creation:**

To date, NWNEPA has already contributed to the re-creation of the City of Scranton Homebuyer Program by conducting a significant amount of research into homebuyer assistance programs from markets across the Commonwealth and the country as a whole. We have also taken the time to interview over a dozen lenders and realtors to get their feedback on the program in order to inform its future direction. This information was previously presented to City personnel at our meeting on 10/7/2019.

Should our proposal be accepted, NWNEPA will work with staff from the City's OECD Department to finalize the recommendations, processes, and updated guidelines for the program in December with a goal of launching the updated City of Scranton Homebuyer Program in January of 2020.

**Marketing & Outreach:**

Once the updated program guidelines and processes are set, NWNEPA will design updated marketing materials and begin distribution to key contacts and distribution networks (lending institutions / mortgage brokers, realtors, and other crucial referral partners). Outreach for the program will also be conducted via social media channels and traditional media (press releases, etc.). Finally, NWNEPA would also plan to hold at least one interactive information session in partnership with the City of Scranton specifically for lenders and realtors to educate them on the changes to the program and to encourage their referrals.

**Application Review:**

NWNEPA currently conducts eligibility reviews for multiple programs, including Aging in Place, the Scranton Homebuyer Assistance Program, the Beautiful Blocks Program, among others. We will review each application for eligibility through a formal intake process where all applicable client information will be reviewed and verified for eligibility according to both the federal requirements of the HOME Program and the internal requirements agreed to by NWNEPA and the City of Scranton. NWNEPA currently employs multiple staff with experience in conducting





eligibility reviews of application for multiple programs, and we plan on adding an additional staff member to assist with this function in the near future.

**Financial Counseling:**

Pamela Anslinger, our Financial and HomeOwnership Specialist, will provide individualized pre-purchase counseling to each participant in this program. Applicants will also need to participate in one of our 8-Hour Homebuyer Education Classes which are offered in person at various times throughout the year or online at any time.

**Improve Client Understanding of Guidelines:**

NWNEPA will incorporate a review of program guidelines into our client intake process to ensure that each client understands their potential eligibility in the program. Perhaps more importantly, NWNEPA will work hard to effectively communicate the eligibility requirements of the program to potential referral partners (lenders, realtors, etc.) so that we can minimize the amount of potential applicants for the program who aren't eligible due to a lack of up front education from our partners.

**Activity Reports and Data Collection\*\*:**

Currently, NWNEPA reports on all activities within our HomeOwnership department on a monthly, quarterly, and annual basis for our various partners (NeighborWorks America, PHFA, HUD, etc.). We will integrate any reporting requirements under this program into our regular data-tracking processes.

\*\*Prior to accepting an invitation to provide services under this proposal, NWNEPA would need to clarify reporting expectations with the City of Scranton to ensure that the City's requirements and processes are not overly burdensome compared to the level of administration funding available.

**Scheduling of Home Inspections:**

If selected, NWNEPA will work directly with the City's OECD Department to identify the most efficient/effective way to integrate a home inspection into the program.

**Facilitation of Closing Process:**

Like the "home inspection" section above, the process for facilitating down payment and closing cost closings will need to be finalized with the City's OECD Department to ensure efficient integration with the City's check processing timeframe and various paperwork requirements.

**Creation of a Customer-Centric Process:**

The majority of the feedback we received from the initial interviews we conducted with referral partners had to do with improving customer service for the program and re-orienting aspects of the program to make them more customer centric. Everything that NWNEPA proposes for



this program is considered through this lens, including how we market the program, the timing of applications and appointments, clarifying the available amount of funding, and handling the closing. All these elements MUST be convenient and efficient for the client and referral partner for the program to be successful. NWNEPA has already made initial suggestions for how to do this at our previous meeting with City representatives; if selected, we will hone these recommendations into a final action plan which is agreeable to both the City of Scranton and NWNEPA.

**Other:**

NWNEPA has adequate program management capacity to implement this program and plans on hiring additional staff for our HomeOwnership Department to build additional expertise and cross-training within the department for long-term sustainability. NWNEPA will also commit to being readily accessible for any discussions with the City's OECD office regarding the program throughout the 3-year term and agrees to provide necessary reporting to the City at mutually agreeable intervals. NWNEPA respectfully requests that the City's OECD office be as clear as possible about reporting requirements and would reserve the right to request clarity in writing from the department regarding any new or disputed reporting requirements.

**Participation by Small Business Firm, Minority-Owned Enterprise, Section 3 Firm, or Women-Owned Enterprise**

NWNEPA is a certified 501(c)(3) not-for-profit corporation. The above classifications are not applicable to our proposal.

**Compensation**

NWNEPA is willing to undertake the activities under this proposal for a 10% administrative fee of the total contract amount. To make this possible, NWNEPA requests a mutually agreeable and clear line of communication between the City's OECD office and NWNEPA regarding reporting requirements and expectations under the program. Should the amount of administrative work increase due to new or additional requirements levied by HUD, the City of Scranton, or any other entity for the administration of the program, NWNEPA requests the courtesy of an opportunity to discuss the appropriate associated fee increase to accommodate the change.



COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

06/10/2019

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

SCRANTON NEIGHBORHOOD HOUSING SERVICES, INC.

is duly registered as a Pennsylvania Non-Profit (Non Stock) under the laws of the Commonwealth of Pennsylvania and remains subsisting so far as the records of this office show, as of the date herein.

I DO FURTHER CERTIFY THAT this Subsistence Certificate shall not imply that all fees, taxes and penalties owed to the Commonwealth of Pennsylvania are paid.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written

*Katley Bookman*

Acting Secretary of the Commonwealth

Certification Number: TSC190610120816-1

Verify this certificate online at <http://www.corporations.pa.gov/orders/verify>

HOME AGENCY HUD-9902 BUDGET ALLOCATION CMS SUBMISSION VERIFICATION APPROVED CMS PRODUCTS



- Agency Summary
- Agency Information
- Personnel
- Contact Information
- HUD Affiliation
- Counselor/Client

**NEIGHBORWORKS NORTHEASTERN PA/NHS OF LACKAWANNA COUNTY**

<b>Acknowledgment</b> Agency ID: 80915      Agency Type: Sub Grantee Parent Name: NEIGHBORHOOD REINVESTMENT CORP. DBA NEIGHBORWORKS AMERICA Parent ID: 80754      Parent Type: National Intermediary Agency Services Begin: 12/01/1995 CMS: CounselorMax		<b>Performance Review</b> Fiscal Year: 2020      Status: Participating Last Review Date: 05/22/2018 Last Review Result: IN COMPLIANCE Next Scheduled Review Date: 05/21/2021													
<b>Data Input and Validation</b> Last Data Input By: MX0915 Last Data Input Date: 10/10/2019 Last Validated By: MX0915 Last Validated Date: 10/10/2019 Next Validation NLT Date: (01/08/2020)		<b>HUD-9902 Submission Summary - FY 2019</b> View Submission History <table border="1"> <tr> <td>2019 - Quarter 1</td> <td>01/15/2019</td> <td>✓</td> </tr> <tr> <td>2019 - Quarter 2</td> <td>04/09/2019</td> <td>✓</td> </tr> <tr> <td>2019 - Quarter 3</td> <td>07/12/2019</td> <td>✓</td> </tr> <tr> <td>2019 - Quarter 4</td> <td>10/15/2019</td> <td>✓</td> </tr> </table>		2019 - Quarter 1	01/15/2019	✓	2019 - Quarter 2	04/09/2019	✓	2019 - Quarter 3	07/12/2019	✓	2019 - Quarter 4	10/15/2019	✓
2019 - Quarter 1	01/15/2019	✓													
2019 - Quarter 2	04/09/2019	✓													
2019 - Quarter 3	07/12/2019	✓													
2019 - Quarter 4	10/15/2019	✓													
<b>Essential Contacts</b> HUD Agency Contact: ✓ HUD POC Phone: ✓ HUD POC Email: ✓ POC Assigned: ✓		<b>HUD-9902 Submission Summary - FY 2020</b> View Submission History <table border="1"> <tr> <td>2020 - Quarter 1</td> <td>access 9902</td> <td>N/A</td> </tr> <tr> <td>2020 - Quarter 2</td> <td>access 9902</td> <td>N/A</td> </tr> <tr> <td>2020 - Quarter 3</td> <td>access 9902</td> <td>N/A</td> </tr> <tr> <td>2020 - Quarter 4</td> <td>access 9902</td> <td>N/A</td> </tr> </table>		2020 - Quarter 1	access 9902	N/A	2020 - Quarter 2	access 9902	N/A	2020 - Quarter 3	access 9902	N/A	2020 - Quarter 4	access 9902	N/A
2020 - Quarter 1	access 9902	N/A													
2020 - Quarter 2	access 9902	N/A													
2020 - Quarter 3	access 9902	N/A													
2020 - Quarter 4	access 9902	N/A													
<b>Counselors</b> Total 9 Trained 0		<b>Clients &amp; Counselors</b> Clients Projected for FY: 0 YTD Declared in 9902: 0 Total YTD Reported : 0													
<b>Public Access Selection</b> HUD Web Site: ✓      HUD IVR: ✓															
<b>Public Services Information</b> Agency Address: ✓ Agency Web Site: ✓ Agency Email: ✓ IVR Posting: ✓ Web List Posting: ✓ Counseling Services: ✓ Languages: ✓ Certified Counselor: ✓															

Agency ID: 80915

Last Validated on 10/10/2019 (Next Validation Required by 01/08/2020) Validated?

Agency Name: NEIGHBORWORKS NORTHEASTERN PA/NHS OF LACKAWANNA COUNTY

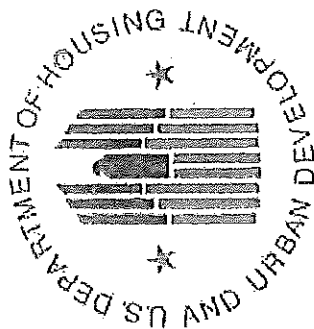
**Agency Designations**☐ Faith Base☐ Colonias☐ Migrant Workers

Housing Counseling Services Provided as of:

Joined HUD Program as of: 04/01/2004

12/01/1995

Services provided as of date cannot be after the date the agency joined the HUD program.



# HUD CERTIFIED HOUSING COUNSELOR

This Certificate is issued by the U.S. Department of Housing and Urban Development to

**PAMELA ANSLINGER**  
of  
**NEIGHBORWORKS NORTHEASTERN PA/NS OF LACKAWANNA COUNTY**

for meeting the criteria for this certification.

This Certificate is valid only for the above named Housing Counselor while employed by the named Housing Counseling Agency, and while such Agency remains a HUD approved Housing Counseling Agency.

Date Issued: July 3, 2019

Agency HCS ID: 80915  
Housing Counselor ID: NB7GIC

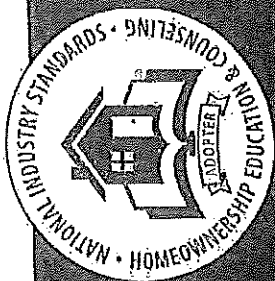
*Jerrold H. Mayer*

**Jerrold H. Mayer, Director**  
**Office of Outreach and Capacity Building**

The purpose of this Certificate is to identify the above named individual as being approved and certified by HUD to provide counseling pursuant to Section 106 of the Housing and Urban Development (HUD) Act of 1968 and other pertinent regulations and requirements. The approval and certification of a counselor does not create or imply a warranty or endorsement by HUD of the Counselor or the HUD Participating Agency which employs the Counselor, nor does the approval and certification of a Counselor represent a warranty of any counseling provided by the Counselor or the Participating Agency which employs the Counselor. Approval and Certification means only that the Counselor has met the qualifications and conditions prescribed by HUD.

Warning: Misuse of this Certificate may subject users to Criminal penalties under 18 U.S.C. 709 or other civil or administrative action.

# Certificate of Adoption



Homeownership  
Done Right®

This is to certify that  
**NeighborWorks Northeastern Pennsylvania**

Having successfully met the qualifications and high performance standards for

## Homeownership Education

is officially recognized as an Adopter of

The National Industry Standards for Homeownership Education and Counseling.

The National Industry Standards Committee

Initial Adoption Date: 09/22/2008

Certificate Issued: 9/29/2018

Certificate valid for one year from the date of issuance.

An organization's adoption status may be rescinded at any time for failure to adhere to the National Industry Standards Guidelines and Code of Ethics.  
For an agency's most current adoption status, please visit [www.homeownershipstandards.org](http://www.homeownershipstandards.org)

Dear Adopter,

Congratulations!

This letter is to notify you that your organization's Certificate of Adoption has been issued. As an approved Adopter of the Standards, your organization will be listed nationally at [www.homeownershipstandards.org](http://www.homeownershipstandards.org).

We applaud your organization for demonstrating the capacity to better serve its clients and community through its commitment to excellence, professionalism and ethical homeownership education and counseling service delivery.

As an added benefit, Adopters of the National Industry Standards have access to a suite of professionally developed marketing tools and resources, including official Adopter logos, customizable press releases and a PowerPoint presentation template. These free marketing tools and resources can be found by logging into your organization's profile at [www.homeownershipstandards.org](http://www.homeownershipstandards.org) and clicking the "Marketing Tools" button located on the left-hand side of the screen.

Lastly, to ensure you receive all notices regarding the National Industry Standards, including changes to your organization's adoption status and updates on new complimentary marketing tools, we recommend that you periodically review and if necessary, update your online profile at [www.homeownershipstandards.org](http://www.homeownershipstandards.org).

For additional information, you may contact the National Industry Standards staff at [web@homeownershipstandards.org](mailto:web@homeownershipstandards.org) or (866) 472-9477.

Again, congratulations on your organization's adoption of the National Industry Standards. We look forward to working with you to ensure the promotion of sustainable homeownership nationwide.

Regards,

The National Industry Standards Committee



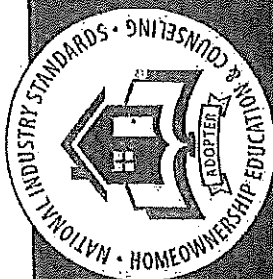
Homeownership  
Done Right

**National Industry Standards for  
Homeownership Education and Counseling**

[www.homeownershipstandards.org](http://www.homeownershipstandards.org)



# Certificate of Adoption



Homeownership  
Done Right<sup>®</sup>

This is to certify that  
**NeighborWorks Northeastern Pennsylvania**

Having successfully met the qualifications and high performance standards for

## Homeownership Counseling

is officially recognized as an Adopter of

The National Industry Standards for Homeownership Education and Counseling.

The National Industry Standards Committee

Initial Adoption Date: 06/16/2010

Certificate Issued: 6/16/2019

Certificate valid for one year from the date of issuance.

An organization's adoption status may be rescinded at any time for failure to adhere to the National Industry Standards Guidelines and Code of Ethics.  
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Regards,

The National Industry Standards Committee



Homeownership  
Done Right

**National Industry Standards for  
Homeownership Education and Counseling**

[www.homeownershipstandards.org](http://www.homeownershipstandards.org)

## Exhibit “C”

**AGREEMENT  
CITY OF SCRANTON  
HOMEBUYER PROGRAM  
BETWEEN THE CITY OF SCRANTON'S  
OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT  
AND  
NEIGHBORWORKS OF NORTHEASTERN PENNSYLVANIA**

STATE OF Pennsylvania                }

COUNTY OF Lackawanna                }

CITY OF Scranton                        }

THIS AGREEMENT entered into **this** \_\_\_\_\_ **day of** \_\_\_\_\_, **2019**, between the City of Scranton (hereinafter referred to as "CITY") a Pennsylvania Municipal Corporation, acting by and through its Office of Economic and Community Development located at 340 North Washington Avenue, Municipal Building, Scranton, Pennsylvania 18503, hereinafter referred to as "CITY/OECD" and **NeighborWorks Northeastern Pennsylvania**, a non-profit corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with a principal office located at 1510 North Main Avenue, Scranton, Pennsylvania, 18508 (hereinafter referred to as the " SUB-RECIPIENT").

**WHEREAS**, the CITY has received certain funds from the U.S. Department of Housing and Urban Development (HUD) under Title II of the National Affordable Housing Act of 1990, (P.L. 1001-625) hereinafter referred to as "the ACT" and,

**WHEREAS**, the implementing regulations of THE ACT at Section 24 Part 92, et seq. of the Code of Federal Regulations (Final Rule of the Home Investment Partnership Program), and subsequent amendments hereinafter referred to as the "HOME PROGRAM" sets forth the requirements for the use of said funds and,

**WHEREAS**, the CITY, by resolution, pursuant to the "Act", adopted a Five Year Consolidated Plan to carry out housing activities eligible under the HOME Investment Partnership Program which benefits and supports home ownership for low and moderate income residents of Scranton, Pennsylvania, and

**WHEREAS**, the CITY published a request seeking proposals for a third party to execute direct service programming for the City of Scranton's Homebuyer Program (hereinafter referred to as "PROGRAM"). The request

included the scope of services, compensation, qualifications, and experience necessary to implement the PROGRAM (attached hereto as Exhibit "A") and,

**WHEREAS**, the CITY determined through a Comparative Evaluation that the Sub-Recipient has the requisite qualifications and experience necessary to execute the PROGRAM, and

**WHEREAS**, in consideration of the award of the PROJECT, the SUB-RECIPIENT is agreeable to the proposed compensation (subject to the future availability and award of federal funds) to implement the PROJECT in accordance with THE ACT and the HOME PROGRAM, and

**NOW THEREFORE**, in consideration of the foregoing and the mutual agreements and covenants hereinafter set forth, the parties hereto legally intending to be bound hereby, do agree for themselves and their respective successors and assigns as follows:

## **SEC. I SCOPE OF SERVICES**

The SUB-RECIPIENT shall administer the City of Scranton's Homebuyer Program. The purpose of the PROGRAM is to help eligible low to moderate income residents (hereinafter referred to as "HOMEBUYERS") purchase a home in the City of Scranton in accordance with 42 United States Code Sec. 12701, et seq.

(i) The SUB-RECIPIENT shall carry out the following specific activities in the implementation of the PROGRAM :

- a. Work with CITY/OECD to create, establish, and maintain fair and open policies and procedures for participation in the PROGRAM including policies determining the requirements for participation by SUB-RECIPIENT, HOMEBUYERS, contractors, and subcontractors, as applicable.
- b. Coordinate and facilitate marketing and outreach for the PROGRAM.
- c. Provide Economic/Financial Counseling to potential HOMEBUYERS by certified staff.
- d. Provide activity reports/data collection and verifiable source documentation

- e. Improve and increase the successfulness of the program by creating a customer focused and customer friendly process in consideration of the HOMEBUYER.
- f. Process timely payments to the SUB-RECIPIENT in accordance with federal financial management requirements.
- g. SUB-RECIPIENT is responsible for assuring that funds provided under this agreement are only used for eligible purposes and must take proactive steps to prevent miss-use and/or mismanagement of funds.
- h. Monitor affordability and affirmatively market assisted housing to eligible low income persons without regard to race, color, national origin, sex, religion, familial status or disability.
- i. Review appropriate documents to verify household income, family size, sources of income, current address, location and condition of home(s) to be acquired, appraised home values, completeness and accuracy of information provided by household members and determine the amount of homebuyer assistance to be provided to achieve affordability.
- j. Execute agreements with HOMEBUYER that require the recapture of HOME funds in the event the purchaser does not continue ownership and occupancy of assisted housing as the principal residence for at least the HOME Program Period of Affordability required in 24CFR §92.254(a)(5)(A).
- k. Assure the legal sufficiency of loan instruments, and settlement documents and assure the filing and recordation of liens and/or deed restrictions required by the PROGRAM to assure continued occupancy for the period of affordability in accordance with 24CFR §92.254(a)(5)(A).

(See Attachment B for a table of minimum required periods of affordability through the City of Scranton Housing Revitalization Program).

(ii) Lead-Based Paint:

- a. Assure that the housing unit passes the lead based paint hazard clearance prior to occupancy.
- b. Provide to each homebuyer the required HUD EPA Title X disclosure form and inspection & clearance reports to be signed, dated and filed as well as the required HUD/EPA/ CPSC Brochure.
- c. Maintain a complete Project file containing documentation of the above requirements and such additional records as may be required by law and/or regulation.

## SEC. II REQUESTS FOR USE/DISBURSEMENT OF FUNDS

- (i) City/OECD is providing the maximum percentage of Ten (10%) percent for an administrative fee for each program year in HOME funds in accordance with requirements of 24CFR 92.300 and 92.301. Funds are eligible for reimbursement from expenses and administrative fees incurred from **January 1, 2020 through December 31, 2022.**
- (ii) The SUB-RECIPIENT shall use HOME funding provided under this agreement to provide rehabilitate housing for low and moderate income persons by making deferred loans to occupants of single family housing units owned and occupied by HOME eligible low and moderate income persons.
- (iii) In no event shall the total amount of HOME funds provided under this agreement be exceeded, to include the use of program income and any prior year HOME funding still being retained by the SUB-RECIPIENT without the written approval of City of Scranton.
- (iv) The SUB-RECIPIENT shall receive and utilize the HOME funds, awarded by this Agreement, solely for activities eligible under the provisions of the "Act", the Project application, this Agreement, and applicable Federal laws, Federal Regulations and Executive Orders as well as HUD notifications and guidance that currently exist and that may be issued in the future, and shall use said funds for no other purpose.
- (v) The parties agree that the SUB-RECIPIENT shall provide documentation to the CITY/OECD for each request of PROGRAM expenditures under this agreement. Documentation provided shall be in a form and format agreed upon by CITY/OECD and SUB-RECIPIENT.

SUB-RECIPIENT shall utilize forms provided agreed upon by the CITY/OECD and SUB-RECIPIENT to request for reimbursement of expenditures and/or advancement of funding for costs necessary to carry out the purposes of this Agreement. Upon receipt and verification of this documentation, the CITY/OECD shall arrange for such funding to be paid to SUB-RECIPIENT.
- (vi) In no event shall the SUB-RECIPIENT request funding until such time that either eligible expenses have been incurred or funds are needed for eligible costs.
- (vii) SUB-RECIPIENT agrees that failure to begin and complete the project as well as to expend HOME funds may result in the termination of the Project and the repayment of funds in accordance with 24CFR, Sec 92.503(b) and (c).

## SEC. IV PROGRAM INCOME

Program income is the monetary return from activities carried out in the performance of this agreement including but limited to loan repayments, home sales and rental income. Program income is required to be repaid directly to the CITY/OECD for redeposit into its Federal Home Investment Trust Fund Account.

## SEC. V AFFORDABILITY

### (i) Eligibility of Homebuyers

- a. SUB-RECIPIENT must assure that occupants of PROGRAM assisted housing have a gross annual household income that does not exceed 80 percent of area median income (AMI), adjusted for household size. Verification of household income must be in accordance with 24CFR, § 92.203. [See Attachment C for current area household income limits by family size].
- b. Homes must be located within the jurisdiction(s) of Scranton, Pennsylvania and be occupied as the principle residence of the recipient of HOME funds throughout the established period of affordability. [See **Attachment B** for table of minimum required periods of affordability the City of Scranton Housing Revitalization Program].

### (ii) Minimum & Maximum Investment in HOME Assisted Housing

SUB-RECIPIENT must assure that the amount of HOME funds invested in each housing unit is in compliance with the minimum and maximum subsidy requirements and that a minimum of \$1,000 in assistance is invested per home in accordance with (24CFR § 92.205 (c), and no more than the maximum per unit subsidy allowed in 24CFR § 92.250 (a).

### (iii) Maximum Home Value

SUB-RECIPIENT must assure that the value as well as the purchase price of any home assisted with HOME funds does not exceed 95% of the FHA Section 203 b home value limits for housing in the Metropolitan Statistical Area, in accordance with (24CFR, § 92.250).



## **SEC. VI. UNIFORM ADMINISTRATIVE & OTHER FEDERAL REQUIREMENTS**

To the extent applicable, the SUB-RECIPIENT shall comply with OMB Circulars A-110, A-122, A-133, as amended and Title 24 of the Code of Federal Regulations, part 84 (24CFR, part 84) pertaining to financial management, audits, procurement and other provisions applicable to managing federal grants. [Copies of the OMB Circulars may be obtained from the White House / Office of Management and Budget Web site at <http://www.whitehouse.gov/omb/circulars>. You may download copies of federal regulations from the electronic code of federal regulations at: <http://ecfr.gpoaccess.gov>]

## **SEC. VII. FAIR HOUSING & EQUAL OPPORTUNITY**

SUB-RECIPIENT shall also comply with the following requirements:

- (i) Equal Opportunity and Fair Housing.
  - A. In accordance with the Program Guidelines and Section 24 CFR 92.350 of the HOME Regulations, no person in the United States shall on the ground of race, color, national origin, religion, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program activity funded in whole or in part from HOME funds. In addition, funds must be made available in accordance with the following:
    - (1) The requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulations at 24 CFR Part 100; Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1958 –1963 Comp., P. 652 and 3 CFR, 1980 Comp., P. 307) (Equal Opportunity in Housing) and implementing regulations at 24 CFR Part 107; and of the Civil Rights Act of 1964 (42 U.S. C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR Part 1;
    - (2) The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing Regulations at 24 CFR Part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8;
    - (3) The requirements of Executive Order 11246 (3 CFR 1964-65, Comp., p.339) (Equal Employment Opportunity) and the implementing Regulations issued at 41 CFR chapter 60;

- (4) The requirements of Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 (concerning Women's Business Enterprise). The SUBRECIPIENT must make efforts to encourage the use of minority and women's business enterprises in connection with HOME-funded activities. The SUBRECIPIENT will cooperate with the CITY/OECD in its minority outreach program to ensure the inclusion, to the maximum extent possible, of minorities and women, and entities owned by minorities and women, in the procurement of property and services including, without limitation, real estate firms, construction firms, financial institutions, investment banking firms, underwriters, accountants, and providers of legal services.

(ii) Non-discrimination

The SUB-RECIPIENT shall provide the services set forth in Section I without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, physical handicap, or age. The SUB-RECIPIENT agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the SUB-RECIPIENT, will state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief.

(iii) Affirmative Marketing.

The SUB-RECIPIENT must adopt affirmative marketing procedures and requirements for HOME-assisted housing projects containing 5 or more housing units. Affirmative marketing steps shall consist of actions to provide information and otherwise attract eligible persons from all racial, ethnic, and gender groups in the housing market area to the available housing and shall comply with the requirements and procedures of 24 CFR 92.351 of the Regulations

(iv) Section 3 Employment & Economic Opportunities:

The requirements of Section 3 of the Housing and Urban Development Act of 1968 (U.S.C. 1701u) that—[Note: Section 3 requirements only apply to construction contracts in excess of \$100,000 for any one contract. The "Section 3 clause", provided below, applies to the SUB-RECIPIENT itself (if the HOME award from the CITY/OECD exceeds \$100,000). This SUB-RECIPIENT shall also include this Sec. 3 clause in every contract executed by SUB-RECIPIENT

that is excess of \$100,000. SUB-RECIPIENT is responsible for monitoring and documenting in its files records that demonstrate compliance with Section 3].

Section 3 Clause:

- A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- 1) The parties to this contract agree to comply with HUD's regulations in **24 CFR part 135**, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the **part 135** regulations.
  - 2) The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in **24 CFR part 135**, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in **24 CFR part 135**. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in **24 CFR part 135**.
  - 3) The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
  - 4) To the greatest extent feasible, opportunities for training and employment arising in connection with the planning and carrying out of any project assisted with HOME funds be given to low-income persons residing within the unit of general local government or the metropolitan area as determined by HUD, in which the project is located: and
  - 5) To the greatest extent feasible contracts for work to be performed in connection with any such project be awarded to business concerns, including but not limited to individuals or firms doing business in the field of planning,

consulting, design, architecture, building construction, rehabilitation, maintenance, or repair, which are located in or owned in substantial part by persons residing in the same metropolitan area (or nonmetropolitan Pennsylvania) as the project; and

- 6) The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of **24 CFR part 135** require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under **24 CFR part 135**.
- 7) Noncompliance with HUD's regulations in **24 CFR part 135** may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

## **SEC. VIII. OTHER FEDERAL REQUIREMENTS**

- (i) Environmental Review.
  - Environmental Review and Approval
    - (a) In accordance with 24 C.F.R. Part 58.22, SUB-RECIPIENT agrees to refrain from undertaking any physical activities or choice limiting actions until the City of Scranton has approved the project's environmental review. Choice limiting activities include acquisition of real property, leasing, repair, rehabilitation, demolition, conversion, or new construction. This limitation applied to all parties in the development process, including public or private nonprofit or for-profit entities, or any of their contractors.
    - (b) This agreement does not constitute an unconditional commitment of funds or site approval. The commitment of funds to the project may occur only upon satisfactory completion of the project's environmental review in accordance with 24 CFR Part 58 and related environmental authorities. Provision of funding is further conditioned on the City of Scranton's determination to proceed with, modify, or cancel the project based on the result of the environmental review.
    - (c) SUB-RECIPIENT agrees to abide by the special conditions, mitigation measures or requirements identified in the City of Scranton's environmental approval and shall ensure that project contracts and other relevant documents will include such special conditions, mitigation measures or requirements.

- (d) Until the City of Scranton has approved the environmental review for the project, neither SUB-RECIPIENT nor any participant in the development process, including public or private nonprofit or for-profit entities, or any of their contractors, may commit HUD assistance to the project or activity.
- (e) SUB-RECIPIENT agrees to provide the CITY/OECD with all available environmental information about the project and any information which the City of Scranton may request in connection with the conduct and preparation of the environmental review, including any reports or investigation or study which the City of Scranton's opinion is needed to fulfill its obligations under HUD environmental requirements.
- (f) SUB-RECIPIENT agrees to advise the City of Scranton of any proposed change in the scope of the project or any change in environmental conditions, including substantial changes in the nature, magnitude, extent or location of the project; the addition of new activities not anticipated in the original scope of the project; the selection of an alternative not in the original application or environmental review, or new circumstances or environmental conditions which may affect the project or have bearing on its impact, such as concealed or unexpected conditions discovered during the implantation of the project or activity.

(ii) Davis Bacon Act - Prevailing Wages

- a. Any contract for the construction (rehabilitation or new construction) of a housing project consisting of 12 or more units assisted with funds made available under the HOME Program must contain a provision requiring that not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act (40 U.S.C. 276a-5), will be paid to all laborers and mechanics employed in the development of affordable housing involved, and such Agreements must also be subject to the overtime provisions, as applicable, to the Work Hours and Safety Standards Act (40 U.S.C. 327-332).
- b. The SUB-RECIPIENT shall comply with regulations issued under these Acts and with other Federal Laws and Regulations pertaining to labor standards and HUD handbook 1344.1 (Federal Labor Standards Compliance in Housing and Community Development Programs), as applicable. The City of Scranton shall require certification as to compliance with the provisions of this section before making any payment under such Agreement.

(iii) Debarment and Suspension

As required by 24 CFR Part 24, federal funds shall not be used directly or indirectly to employ, award contracts to, or otherwise engage the services of, or fund any contractor, subcontractor, Subrecipient, business, consultant or any entity during any period of debarment, suspension, or placement in ineligibility status.

(iv) Copeland Anti-Kick-Back Act

The SUB-RECIPIENT shall comply with the provisions of the Copeland Anti-Kick-Back Act (18 U.S.C. 874) as supplemented in the AGENCY of Labor Regulations (29 CFR Part 3), as amended.

(v) Contract Work Hours and Safety Standard Act

The SUB-RECIPIENT shall comply with the provisions of sections 103 and 107 of the Contract Work Hours and Safety Standard Act (40 U.S.C. 327-330) as supplemented by AGENCY of Labor regulations (29 CFR, Part 5), as amended.

(vi) Records Retention

- (a) The SUB-RECIPIENT shall retain all applicable administrative and project records for a period of five (5) years after the termination of all activities funded under this Agreement.
- (b) Note that for the HOME Program funded activities extend for five years after the period of affordability as stipulated in 24CFR, §92.254 and §92.508 c. 2.
- (c) Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the five-year period, then such records must be retained until completion of the actions and resolution of all issues, or the expiration of the five-year period, whichever occurs later.

(vii) Access to Records

The SUB-RECIPIENT shall allow unobstructed and full access to records for monitoring by the City of Scranton and HUD representatives.

(viii) Reporting

The SUB-RECIPIENT shall submit reports to the City of Scranton on, at minimum, a quarterly basis for the purpose of fiscal tracking and program compliance monitoring, including progress toward meeting project objectives, benchmarks, timelines, and program outcomes.

(ix) Privacy Rights

The SUB-RECIPIENT understands and agrees that client information collected under this contract is private and the use or disclosure of such information, when not directly connected with the City of Scranton's administration of the SUB-RECIPIENT's responsibilities with respect to services provided under this contract, are prohibited unless written consent is obtained from such person receiving service and, in the case of a minor, that of a responsible parent or guardian.

(x) Reversion of Assets

Upon occurrence of either the expiration or termination of this Agreement, the SUB-RECIPIENT, in its capacity hereunder as a SUB-RECIPIENT, must immediately transfer to the CITY/OECD any HOME Funds on hand at the time of the expiration or termination of this Agreement, and any accounts receivable attributable to the use of the HOME Funds.

#### SEC. IX. CONFLICT OF INTEREST

- (i) The SUB-RECIPIENT agrees to abide by the provisions of 24 CFR 92.356 with respect to conflicts of interest, and will assure that no person who exercises or have exercised any functions or responsibilities with respect to activities assisted with HOME funds or who are in a position to participate in a decisionmaking process or gain any inside information with regard to these activities, may obtain a financial interest or benefit from the PROJECT, or have an interest in any contract, subcontract or agreement with respect thereto, or proceeds derived from the PROJECT, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.
- (ii) If such conflict as outlined above does exist, (or there is the 'appearance' of such conflict) SUB-RECIPIENT is bound to disclose officially in writing, on SUB-RECIPIENT's letterhead, the nature and extent of that conflict (or apparent conflict) prior to execution of this Agreement or if discovered subsequently to disclose such conflict as soon as it occurs or is known.
- (iii) Exceptions to above requirements are allowed under certain circumstances in accordance with 24CFR, §92.356 d, e and f (2). Requests for exceptions must be made to the Pennsylvania who, after determination as to whether an exception request is warranted, will render a decision and/or seek the approval of HUD to render a decision.
- (iv) SUB-RECIPIENT shall exercise due diligence and take all necessary steps to assure compliance with the requirements of this Section.

#### SEC. X. CONDITIONS OF RELIGIOUS ORGANIZATIONS

- (i) Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to participate in the HOME program. Neither the Federal government nor a State or local government receiving funds under HOME programs shall discriminate against an organization on the basis of the organization's religious character or affiliation.
- (ii) Organizations that are directly funded under the HOME program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the assistance funded under this part.
- (iii) If an organization conducts such activities, the activities must be offered separately, in time or location, from the assistance funded under this part, and participation must be voluntary for the beneficiaries of the assistance provided.
- (iv) The completed housing project must be used exclusively by the owner entity for secular purposes, available to all persons regardless of religion. In particular, there must be no religious or membership criteria for tenants of the property.
- (v) An organization that participates in the HOME program shall not, in providing program assistance, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief.
- (vi) The Pennsylvania Community Development Department will assure that any use of HOME funds by a religious organization when commingled with funds of the religious organization meet the requirements of Section 92.257 of Title 24 of the Code of Federal Regulations. THE SUBRECIPIENT agrees to fully and willingly cooperate with the Pennsylvania in complying with these requirements.

## SEC. XI INSURANCE and BONDING REQUIREMENTS

SUB-RECIPIENT shall observe sound business practices with respect to providing Insurance including bonding insurance (as applicable) as would provide adequate coverage for activities under this AGREEMENT in compliance with 24CFR, 85.36(h).

- (i) Flood Insurance.
  - (1) Under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001-4128), HOME funds may not be used with respect to the acquisition, new construction, or rehabilitation of a project located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazard, unless:
    - (a) The community in which the area is situated is participating in the National Flood Insurance Program (see 44 CFR Parts 59 through 79), or less than a year has passed since FEMA notification regarding such hazards; and



(b) Flood insurance is obtained as a condition of approval of the commitment.

(2) The City of SCRANTON PENNSYLVANIA shall require and monitor compliance where an area has been identified by FEMA as having special flood hazards that the SUBRECIPIENT shall be responsible for assuring the flood insurance under the National Flood Insurance Program is obtained and maintained. Copies of records pertaining to flood insurance protection shall be provided to the CITY/OECD upon request.

(a) No payments will be made to the SUB-RECIPIENT until the current certificates of insurance have been received and approved by the City of Scranton Pennsylvania. If the insurance as evidenced by the certificates furnished by the SUB-RECIPIENT expires or is canceled during the term of the contract, services and related payments will be suspended.

(b) SUB-RECIPIENT shall furnish the City of Scranton with certification of insurance evidencing such coverage and endorsements at least ten (10) working days prior to commencement of services under this contract. Certificates shall be addressed to the City of Scranton Pennsylvania, 538 Spruce Street, Suite 812, Scranton, Pennsylvania 18503 and shall provide for 30 day written notice to the Certificate holder of cancellation of coverage.

## SEC. XII OECD RESPONSIBILITIES

In addition to previously stated responsibilities in this agreement, OECD is specifically responsible for the following:

- a. OECD shall provide to the SUB-RECIPIENT information regarding its requirements for the PROGRAM.
- b. OECD will provide the SUB-RECIPIENT with any changes in HOME regulations or program limits that affect the project, including but not limited to household income limits, property value limits (FHA 203b) and maximum per unit (Section 221 d 3) investment of HOME funds.
- c. OECD will conduct progress inspections of work completed to protect its interests as lender and regulatory authority for the project, and will provide information to the SUB-RECIPIENT regarding any progress inspections or monitoring to assist it in ensuring compliance.
- d. OECD review and approval of the WORK will relate only to overall compliance with the general requirements of this Agreement and HOME regulations, and all Pennsylvania regulations and ordinances.

## SEC. XIII OTHER GENERAL PROVISIONS

(i) Payroll Taxes

The SUB-RECIPIENT is responsible for all applicable state and federal social security benefits, workmen's compensation and unemployment taxes and agrees to indemnify and protect the Pennsylvania against such liability.

(ii) Practice and Ethics

The parties will conform to the code of ethics of their respective national professional associations.

(iii) Changes in Scope or Services

Any changes in scope or services of this agreement must be mutually agreed upon by the CITY/OECD and the SUB-RECIPIENT. Said changes will be incorporated into this agreement by written amendments signed by both parties.

(iv) Termination without cause.

Either party may terminate the contract by giving thirty (30) days written notice to the other party.

(v) Independent Contractor.

SUB-RECIPIENT and its employees and agents shall be deemed to be independent contractors, and not agents or employees of the City of Scranton, and shall not attain any rights or benefits under the civil service or pension ordinances of the City of SCRANTON PENNSYLVANIA, or any rights generally afforded classified or unclassified employee; further they shall not be deemed entitled to state Compensation benefits as an employee of the City of SCRANTON PENNSYLVANIA.

(vi) Availability of Funds.

- A. Funding for this Agreement is contingent on the availability of funds and continued authorization for program activities and is subject to amendment or termination due to lack of funds, or authorization, reduction of funds, and/or change in regulations.

(vii) Extent of Contract

This contract represents the entire agreement between the parties and supersedes all prior representations, negotiations or agreements whether written or oral.

(viii) Contingent Fees

SUB-RECIPIENT promises that it has not employed or retained any company or person, other than bona fide employees working solely for the SUB-RECIPIENT, to solicit or secure this contract, and that it has not paid or agreed to pay any company or person, other than bona fide employees working solely for the SUB-RECIPIENT, any fee, commission, percentage, brokerage fee, gifts or any other consideration contingent upon or resulting from the award or making of this contract. For breach of this promise, the Pennsylvania may cancel this contract without liability or, at its discretion, deduct the full amount of the fee, commission, percentage, brokerage fee, gift or contingent fee from the compensation due the SUB-RECIPIENT.

(ix) Successors & Assigns

This contract is binding on the CITY/OECD and the SUB-RECIPIENT, their successors and assigns. Neither the CITY/OECD nor the SUB-RECIPIENT will assign or transfer its interest in this contract without the written consent of the other.

(x) Indemnification

The SUB-RECIPIENT will protect, defend and indemnify the City of Scranton Pennsylvania, its officers, agents, servants, volunteers and employees from any and all liabilities, claims, liens, fines, demands and costs, including legal fees, of whatsoever kind and nature which may result in injury or death to any persons, including the SUB-RECIPIENT's own employees, and for loss or damage to any property, including property owned or in the care, custody or control of Pennsylvania of Scranton Pennsylvania in connection with or in any way incident to or arising out of the occupancy, use, service, operations, performance or non-performance of work in connection with this contract resulting in whole or in part from negligent acts or omissions of SUB-RECIPIENT, any subsidiary, or any employee, agent or representative of the contractor or any sub-contractor.

(xi) Treatment of any Conflicts between terms

In the event of conflict between the terms of this Agreement and any terms or conditions contained in any attached documents, the terms in this Agreement shall rule.

(xii) Severability

Should any provisions, paragraphs, sentences, words or phrases contained in this Agreement be determined by a court of competent jurisdiction to be invalid, illegal or otherwise unenforceable under the laws of the Commonwealth of Pennsylvania or the City of Scranton, such provisions, paragraphs, sentences, words or phrases shall be deemed modified to the extent necessary in order to conform with such laws, or if not modifiable to conform with such laws, then same shall be deemed

severable, and in either event, the remaining terms and provisions of this Agreement shall remain unmodified and in full force and effect.

(xiii) No waiver of breach

No waiver or breach of any provision of this Agreement shall constitute a waiver of a subsequent breach of the same or any other provision hereof, and no waiver shall be effective unless made in writing.

(xiv) Enforcement of the Agreement

The CITY/OECD will enforce this agreement in accordance with 24 CFR 85.43, by suspension or termination of the agreement should SUBRECIPIENT fail to comply with any term of the agreement, or for convenience in accordance with 24 CFR 85.44.

(xv) Choice of Law and Forum

This contract is to be interpreted by the laws of the State of Pennsylvania. The parties agree that the proper forum for litigation arising out of this is in Commonwealth of Pennsylvania.

{INTENTIONALLY LEFT BLANK}

IN WITNESS WHEREOF, the City of Scranton's Office of Economic & Community Development and NeighborWorks of Northeastern Pennsylvania have caused the official signatures of their authorized executive to be executed herewith:

**Attest:**

\_\_\_\_\_  
City Clerk

BY \_\_\_\_\_  
Mayor, City of Scranton

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

BY \_\_\_\_\_  
City Controller

\_\_\_\_\_  
Date

BY \_\_\_\_\_  
Executive Director  
Office of Economic and Community Development

\_\_\_\_\_  
Date

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Solicitor

\_\_\_\_\_  
Date

**NeighborWorks of Northeastern Pennsylvania**

By: \_\_\_\_\_ Date: \_\_\_\_\_



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

December 5, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
DEC 05 2019  
OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO EXECUTE AND ENTER INTO AN AGREEMENT WITH NEIGHBORWORKS OF NORTHEASTERN PENNSYLVANIA, 1510 NORTH MAIN AVENUE, SCRANTON, PENNSYLVANIA 18508 TO CREATE, ESTABLISH, AND ADMINISTER THE CITY OF SCRANTON'S HOMEBUYER PROGRAM.

Respectfully,

*Joseph G. Price (s)*

Joseph G. Price, Esquire  
Assist. City Solicitor

JGP/sl

RESOLUTION NO. \_\_\_\_\_

2019

**RE-APPOINTMENT OF MICHAEL MULLER, 830 TAYLOR AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. MICHAEL MULLER'S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2016 AND WAS HELD OVER UNTIL NOVEMBER 20, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2021.**

WHEREAS, Michael Muller's prior term on the Historical Architectural Review Board expired on October 11, 2016 and was held over until November 20, 2019; and

WHEREAS, the Mayor of the City of Scranton desires to re-appoint Michael Muller as a member of the Historical Architecture Review Board for an additional five (5) year term. His new term will expire on October 11, 2021; and

WHEREAS, Michael Muller has the requisite, experience, education and training necessary to serve on the Historical Architecture Review Board.

NOW, THEREFORE, BE IT RESOLVED that Michael Muller, 830 Taylor Avenue, Scranton, PA is hereby re-appointed to the Historical Architecture Review Board for an additional five (5) year term. Michael Muller's prior term expired on October 11, 2016 and was held over until November 20, 2019. His new term will expire on October 11, 2021.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

November 27, 2019

Honorable Council of the City of Scranton  
340 N. Washington Avenue  
Scranton, Pa. 18503

RE: Historical Architecture Review Board (HARB) Re-Appointment

Dear Council Members:

Please be advised that I am Re-appointing Michael Muller, 830 Taylor Avenue, Scranton, Pennsylvania 18510 as a member of the Historical Architecture Review Board.

Mr. Muller's term expired October 11, 2016, he was held over until November 20, 2019. His new five (5) year term will expire on October 11, 2021.

I respectfully request City Council's concurrence in this appointment.

Sincerely,

Wayne E. Evans  
Mayor, City of Scranton

WEE/mm

CC: Tom Oleski, Acting Director, L.I.P.S.  
Jessica Eskra, Esq., City Solicitor  
Historical Architectural Review Board  
Denise Nytech, Boards & Commisions Coordinator  
Mr. Michael Muller





DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 20, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
NOV 27 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION RE-APPOINTMENT OF MICHAEL MULLER, 830 TAYLOR AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. MICHAEL MULLER'S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2016 AND WAS HELD OVER UNTIL NOVEMBER 20, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2021.

THE ADMINISTRATION HAS VERIFIED THAT THE APPOINTEE HAS NO DELINQUENT CITY TAX OR REFUSE PAYMENTS DUE.

Respectfully,

*Jessica Eskra, Esq.*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RESOLUTION NO. \_\_\_\_\_

2019

**APPOINTMENT OF THOMAS TANSITS, 17 TERRACE DRIVE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE SCRANTON PARKING AUTHORITY EFFECTIVE OCTOBER 1, 2019. THOMAS TANSITS WILL REPLACE JOSEPH WECHSLER WHO RESIGNED EFFECTIVE FEBRUARY 5, 2019. THOMAS TANSITS WILL FULFILL THE UNEXPIRED TERM OF JOSEPH WECHSLER WHOSE TERM IS SCHEDULED TO EXPIRE ON JUNE 1, 2020.**

WHEREAS, Joseph Wechsler resigned as a member of the Scranton Parking Authority on February 5, 2019; and

WHEREAS, the Mayor of the City of Scranton desires to appoint Thomas Tansits as a member of the Scranton Parking Authority effective October 1, 2019. He is replacing Joseph Wechsler who resigned on February 5, 2019. Thomas Tansits' will fill the unexpired term of Joe Wechsler that is scheduled to expires on June 1, 2020; and

WHEREAS, Thomas Tansits has the requisite, experience, education and training necessary to serve on the Board of the Scranton Parking Authority.

**NOW, THEREFORE, BE IT RESOLVED** that Thomas Tansits, 17 Terrace Drive, Scranton, PA is hereby appointed as a member of the Scranton Parking Authority replacing Joseph Wechsler who resigned on February 5, 2019. Thomas Tansits will fill the unexpired term of Joseph Wechsler that is scheduled to expire June 1, 2020.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intend of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

Todd A. Johns, Esquire

February 5, 2019

Scranton Parking Authority Executive Director

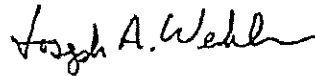
1144 East Drinker Street

Dunmore, PA 18512

Dear Attorney Johns.

It is with great regret that I must inform you of my resignation from the Scranton Parking Authority effective immediately. I have been elected President of the Lackawanna River Conservation Association. As you are aware the Lackawanna River has become an integral part of our community providing many recreational opportunities and will play a major role in the upcoming storm water management plan. I feel that the LRCA will require my full time attention and such I shall not be able to perform SPA duties. I would like to thank Mayor Courtright and City Council for the opportunity they provided me to serve on the SPA. I enjoyed working with you and my other board members. Please contact me if I can be of any other further assistance or provide further information.

Sincerely,



Joseph A. Wechsler

1315 Cronkey Avenue

Scranton, PA 18505

CC: Mayor William Courtright

Council President Patrick Rogan



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 20, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
NOV 26 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION APPOINTMENT OF THOMAS TANSITS, 17 TERRACE DRIVE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE SCRANTON PARKING AUTHORITY EFFECTIVE OCTOBER 1, 2019. THOMAS TANSITS WILL REPLACE JOSEPH WECHSLER WHO RESIGNED EFFECTIVE FEBRUARY 5, 2019. THOMAS TANSITS WILL FULFILL THE UNEXPIRED TERM OF JOSEPH WECHSLER WHOSE TERM IS SCHEDULED TO EXPIRE ON JUNE 1, 2020.

THE ADMINISTRATION HAS VERIFIED THAT THE APPOINTEE HAS NO DELINQUENT CITY TAX OR REFUSE PAYMENTS DUE.

Respectfully,

*Jessica Eskra, Esq.*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RESOLUTION NO. \_\_\_\_\_

2019

**APPOINTMENT OF NORMA JEFFRIES, 619 COLFAX AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE SHADE TREE COMMISSION, EFFECTIVE OCTOBER 11, 2019. NORMA JEFFRIES IS REPLACING ANN McNALLY WHOSE TERM EXPIRED OCTOBER 29, 2017. NORMA JEFFRIES IS APPOINTED TO A FIVE (5) YEAR TERM WHICH WILL EXPIRE ON OCTOBER 11, 2024.**

**WHEREAS**, Ann McNally's term on the Shade Tree Commission expired on October 29, 2017; and

**WHEREAS**, the Mayor of the City of Scranton desires to appoint Norma Jeffries as a member of the Shade Tree Commission. Norma Jeffries is replacing Ann McNally whose term expired October 29, 2017. Norma Jeffries is appointed to a five (5) year term effective October 11, 2019 and her term will expire October 11, 2024; and

**WHEREAS**, Norma Jeffries has the requisite experience, education and training necessary to serve as a member of the Shade Tree Commission.

**NOW, THEREFORE, BE IT RESOLVED** that Norma Jeffries, 619 Colfax Avenue, Scranton, Pennsylvania 18510 is hereby appointed to the Shade Tree Commission for a five (5) year term effective October 11, 2019 and will expire on October 11, 2024.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

October 11, 2019

Honorable Council of the City of Scranton  
340 N. Washington Avenue  
Scranton, Pa. 18503

RE: Scranton Shade Tree Commission Appointment

Dear Council Members:

Please be advised that I am appointing Norma Jeffries, 619 Colfax Ave., Scranton, Pa. 18510, as a member of the Scranton Shade Tree Commission effective October 11, 2019.

Ms. Jeffries will be replacing Ann McNally whose term expired. Ms. Jeffries' five (5) year term will be effective October 11, 2019 and will expire on October 11, 2024.

I respectfully request City Council's concurrence in this appointment.

Sincerely,

Wayne E. Evans  
Mayor, City of Scranton

WEE/mm

CC: Jessica Eskra, City Solicitor  
David Bulzoni, Business Administrator  
Scranton Shade Tree Commission  
Norma Jeffries

August 19, 2019

Mayor Wayne Evans  
Boards & Authorities  
340 N. Washington Ave.  
Scranton, PA 18510

SHADE TREE COMMISSION

Dear Mayor Evans:

My name is Norma Jeffries. I would like to submit my letter of interest to be considered to serve on a city board and/or authority.

I was educated here in Scranton, and returned 3 years ago. I have been attending City Council meetings to try to learn as much as I can on what/who is involved in the government and the City of Scranton. When I read the notice in the paper, I thought, this is my chance to add to my knowledge of the government and stay involved. In the past, I have been involved with the city by presenting my concerns to City Council. Mainly, city street signs, and the David Wetzel Tree House. I enjoy getting involved and making things happen.

Again, I am hoping that I can be selected to serve!

Best Regards,

*Norma Jeffries*  
Norma Jeffries  
619 Colfax Avenue  
Scranton, PA 18510  
[REDACTED]

9/20 - Yes - sent to Wayne B.



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

October 31, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
NOV 26 2019


OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING APPOINTMENT OF NORMA JEFFRIES, 619 COLFAX AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE SHADE TREE COMMISSION, EFFECTIVE OCTOBER 11, 2019. NORMA JEFFRIES IS REPLACING ANN McNALLY WHOSE TERM EXPIRED OCTOBER 29, 2017. NORMA JEFFRIES IS APPOINTED TO A FIVE (5) YEAR TERM WHICH WILL EXPIRE ON OCTOBER 11, 2024.

THE ADMINISTRATION HAS VERIFIED THAT THE APPOINTEE HAS NO DELINQUENT CITY TAX OR REFUSE PAYMENTS DUE.

Respectfully,

  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/dan



RESOLUTION NO. \_\_\_\_\_

2019

**RE-APPOINTMENT OF WILLIAM LESNIAK, 314 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, 18505 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. WILLIAM LESNIAK'S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2017 AND WAS HELD OVER UNTIL NOVEMBER 15, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2022.**

**WHEREAS**, William Lesniak's prior term on the Historical Architectural Review Board expired on October 11, 2017 and was held over until November 15, 2019; and

**WHEREAS**, the Mayor of the City of Scranton desires to re-appoint William Lesniak as a member of the Historical Architecture Review Board for an additional five (5) year term. His new term will expire on October 11, 2022; and

**WHEREAS**, William Lesniak has the requisite, experience, education and training necessary to serve on the Historical Architecture Review Board.

**NOW, THEREFORE, BE IT RESOLVED** that William Lesniak, 314 Pittston Avenue, Scranton, PA is hereby re-appointed to the Historical Architecture Review Board for an additional five (5) year term. William Lesniak's prior term expired on October 11, 2017 and was held over until November 15, 2019. His new term will expire on October 11, 2022.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

P E N N S Y L V A N I A CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

November 20, 2019

Honorable Council of the City of Scranton  
340 N. Washington Avenue  
Scranton, Pa. 18503

RE: Historical Architecture Review Board (HARB) Re-Appointment

Dear Council Members:

Please be advised that I am Re-appointing William Lesniak, 314 Pittston Avenue, Scranton, Pennsylvania 18505 as a member of the Historical Architecture Review Board.

Ms. Lesniak's term expired October 11, 2017, she was held over until November 15, 2019. His new five (5) year term will expire on October 11, 2022.

I respectfully request City Council's concurrence in this appointment.

Sincerely,

Wayne E. Evans  
Mayor, City of Scranton

WEE/mm

CC: Tom Oleski, Acting Director, L.I.P.S.  
Jessica Eskra, Esq., City Solicitor  
Historical Architectural Review Board  
Denise Nytech, Boards & Commissions Coordinator  
Mr. William Lesniak

Hi Denise,  
I would like to continue serving on the HARB in the Architectural Heritage Associations seat. Thank you.  
William Lesniak

Can you please attached the above to Bill Lesniak's resolution.

Thanks!

Regards,  
***Denise Nytch***  
Confidential Secretary  
City Hall – Law Department  
340 N. Washington Avenue  
Scranton, PA 18503  
Phone: 570-348-4105  
Fax: 570-348-4263  
Email: [dnytch@scrantonpa.gov](mailto:dnytch@scrantonpa.gov)

**From:** Denise Nytch  
**Sent:** Tuesday, November 26, 2019 12:43 PM  
**To:** Denise Nytch  
**Subject:** Your scan (Scan to My Email)



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 20, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

RECEIVED  
NOV 26 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION RE-APPOINTMENT OF WILLIAM LESNIAK, 314 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, 18505 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. WILLIAM LESNIAK'S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2017 AND WAS HELD OVER UNTIL NOVEMBER 15, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2022.

THE ADMINISTRATION HAS VERIFIED THAT THE APPOINTEE HAS NO DELINQUENT CITY TAX OR REFUSE PAYMENTS DUE.

Respectfully,

*Jessica L. Eskra, Esq.*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RESOLUTION NO. \_\_\_\_\_

2019

**APPOINTMENT OF JOHN R. FINNERTY, 622 WINTERMANTLE AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE PLANNING COMMISSION OF THE CITY OF SCRANTON EFFECTIVE DECEMBER 31, 2019. JOHN R. FINNERTY WILL BE REPLACING PASTOR ANTHONY ISMAEL WHOSE TERM IS SET TO EXPIRE ON DECEMBER 31, 2019 AND WILL NOT BE REAPPOINTED CREATING A VACANCY ON THE COMMISSION. MR. FINNERTY 'S TERM WILL EXPIRE ON DECEMBER 31, 2023.**

WHEREAS, Pastor Anthony Ismael's term on the Planning Commission of the City of Scranton is set to expire on December 31, 2019 and will not be reappointed, thereby creating a vacancy on the commission; and

WHEREAS, the Mayor of the City of Scranton desires to appoint John R. Finnerty as a member of the Planning Commission of the City of Scranton for a four (4) year term. Mr. Finnerty's term will expire December 31, 2023; and

WHEREAS, John R. Finnerty has the requisite experience, education and training necessary to serve as a member of the Planning Commission of the City of Scranton.

NOW, THEREFORE, BE IT RESOLVED that John R. Finnerty, 622 Wintermantle Avenue, Scranton, PA is hereby appointed as a member of the Planning Commission of the City of Scranton. Mr. Finnerty will fill the vacancy of Pastor Anthony Ismael whose term is set to expire on December 31, 2019. Mr. Finnerty's four (4) year term will expire on December 31, 2023.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

November 21, 2019

Honorable Council of The City of Scranton  
340 N. Washington Avenue  
Scranton, Pa. 18503

RECEIVED

NOV 26 2019

OFFICE OF CITY  
COUNCIL/CITY CLERK

RE: Scranton City Planning Commission Appointment

Dear Council Members:

Please be advised that I am appointing John R. Finnerty, 622 Wintermantle Ave., Scranton, PA 18505, as a member of the Planning Commission for the City of Scranton, Mr. Finnerty will replace Pastor Anthony Ismael whose term expires December 31, 2019.

Mr. Finnerty's four (4) year term will be effective December 31, 2019 and will expire on December 31, 2023.

I respectfully request City Council's concurrence in this appointment.

Sincerely,

Wayne E. Evans  
Mayor, City of Scranton

WEE/mm

CC: Jessica Eskra, Esq., City Solicitor  
Scranton Planning Commission  
Don King, City Planner  
John R. Finnerty

APPOINTMENT TO  
CITY PLANNING  
COMMISSION

November 13, 2019

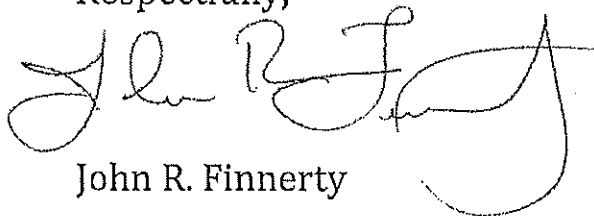
Mayor Wayne Evans  
City Hall  
340 North Washington Avenue  
Scranton, PA 18503

Dear Mayor Evans:

I write today to submit my name for consideration for appointment to the Planning Commission. I do not do this lightly, but rather from a sincere love for the city that has so enriched my life, and an equally strong belief that Scranton continues to face serious, even existential threats, that call for us all to do our part.

I have attached a brief bio for your review and would be happy to provide any additional information that you might require. Thank you for considering this request.

Respectfully,

  
John R. Finnerty





DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 26, 2019

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

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Respectfully,

*Jessica L. Eskra, Esq.*  
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City Solicitor

JLE/sl